



An  
Bord  
Pleanála

## Inspector's Report ABP-310027-21

### Development

Protected Structure: Demolition of buildings and portacabins; construction of 21 classroom school building. Alterations and change of use of Theresa Ball House to educational use. Construction of prefabricated accommodation.

### Location

Loreto Primary School, Grange Road, Rathfarnham, Dublin 14.

### Planning Authority

South Dublin County Council

### Planning Authority Reg. Ref.

SD20A/0296

### Applicant(s)

Board of Management Grange Road National School

### Type of Application

Permission

### Planning Authority Decision

Grant Permission

### Type of Appeal

Third Party

### Appellant(s)

D. O'Brien

### Observer(s)

Dolores and William Brennan

Stonepark Abbey and Longwood Park  
Residents Association

**Date of Site Inspection**

6<sup>th</sup> September, 2021

**Inspector**

Stephen Kay

## **1.0 Site Location and Description**

- 1.1. The appeal site is located in Rathfarnham with access provided off the Grange Road. The site comprises the campus of Loreto National School which is located on lands to the south of and immediately adjoining the Loreto Abbey complex of buildings. This complex was the original home of the Loreto order and the main buildings on the site were previously in use as boarding accommodation for students of the Loreto secondary school. The complex is notable for the Pugin designed church that is on the site and the buildings are included on the record of protected structures. An Irish language secondary school, Gaelcholaiste An Phiarsaigh, is currently operating out of the Loreto Abbey complex and access to this school is currently off the Grange Road via Dispensary Lane to the north of the appeal site. Loreto Beaufort secondary school campus is located to the north west of the appeal site on the opposite (west) side of Grange Road.
- 1.2. Lands to the north and east of the Loreto Abbey complex have been developed for housing with apartment buildings of predominantly 4-5 storeys in these locations. Access to these residential units is via Dispensary Lane. Dispensary Lane turns north at the point of access into the Loreto Abbey and connects with Loreto Terrace to the north. Access within the Loreto Abbey site from this point is on private lands.
- 1.3. The appeal site can be divided into two distinct parts, the first comprising the western side of the site encompassing the access road leading from Convent Lane and Stonepark Abbey, the enclosed lands to the north of this access road and the three storey Lourdes Nursing Home building that fronts onto Convent Lane at the western end of the site (floor area 1,248 sq. metres) and attached Teresa Ball House building (floor area 650 sq. metres) located to the north east of the nursing home building. Both the Lourdes Nursing Home and Teresa Ball House buildings are currently vacant, and the nursing home building is in a poor state of repair.

- 1.4. The second part of the site comprises the existing national school buildings located at the eastern end of the site. These comprise a two storey granite school building located at the western end of this part of the site, which has a stated floor area of 283 sq. metres, two single storey buildings with floor areas of 1,000 sq metres and 370 sq. metres arranged around a central courtyard with an additional open area to the east laid out as a yard and basketball court. There are two pre-fabricated buildings located at this eastern end of the site with a combined floor area of 383 sq. metres.
- 1.5. The stated area of the appeal site is 1.362 ha.

## **2.0 Proposed Development**

- 2.1. The proposed development comprises a number of elements as follows:
- 2.2. At the western end of the site, it is proposed that the Lourdes Nursing Home building which is currently unoccupied and in a poor state of repair would be demolished and that the frontage to Convent Lane in this area would be set back so as to provide for a vehicular set down area.
- 2.3. Teresa Ball House is proposed to be retained with its use changed from a nursing home to educational use. A total of 3 no. classrooms are proposed to be accommodated in Teresa Ball House plus additional ancillary resource teaching accommodation. An extension with stated floor area of 85 sq. metres is proposed to be added to Teresa Ball House to accommodate the revised use and layout of the building.
- 2.4. At the eastern end of the site the existing two storey granite school building is proposed to be retained. All other classroom structures are proposed to be demolished. In their place, it is proposed to construct a new 21 no classroom school building with a stated floor area of 3,833 sq. metres. The new school building is proposed to be of contemporary design with a T shaped floorplan and be a mix of single, two and three storeys in height. The single storey element is proposed on the southern side of the site where it would be in closest proximity to the houses in Stonepark Abbey with an increase in height to the northern side of the site. The new classroom / school accommodation would wrap around the existing stone building on the site and links would be provided at ground and first floor levels.

- 2.5. Ball courts are proposed to be provided in the existing area of open space at the western end of the site to the south east of Teresa Ball House, to the north of the school building adjoining the grounds of the Loreto Convent and secondary school and at the far south east corner of the site. Hard play surface areas are proposed in an enclosed courtyard area and also within a partially enclosed yard at the south western end of the proposed building. Other areas on site areas where temporary vehicular access / parking would be possible , notably at the eastern end of the access roadway. With the exception of the proposed ballcourts, the western part of the site and the area to the north of the school building are proposed to predominantly be soft landscaped. A soft landscaped strip of approximately 10 metres in depth is also proposed to be provided along the boundary with Stonepark Abbey to the south of the school building.
- 2.6. Access to the site is proposed to be available from Convent Lane and also via the roundabout and gated entrance on Stonepark Abbey. The proposed layout provides for the setting back of the existing site boundary to Convent Lane with a setback area that can accommodate 7 no. cars proposed to be provided. In addition, a one way circulation is proposed to be provided within the site with set down areas. Between internal and external set down areas a total of 20 no. spaces are proposed to be provided. Within the main part of the site, 30 no. parking spaces are proposed with the majority located along the southern side of the access avenue where existing staff parking is provided.
- 2.7. The development proposes interim arrangements for the period of the construction works with the provision of a two storey 20 no. classroom block on the site.
- 2.8. The number of students stated to be accommodated in the new school facility is c.640 as per paragraph 3.1 of the Planning Application Report submitted with the application. Against this, the Transportation Assessment states at Paragraph 4.2 that the school currently has a total of 510 no. pupils and c.27 no. staff and that following the development it is proposed that the number of pupils would increase to c.700 with 33 no. staff. The development would therefore result in an additional 190 no. pupils and 6 no. staff. The number of classrooms is proposed to be increased from the existing 19 no. to 24 no.

2.9. The application is accompanied by the following documents:

- Planning Application Report prepared by Simon J Kelly Architects
- Conservation and Architectural Impact Assessment Report prepared by Fitzgerald Kavanagh and Partners Architects,
- Outlines Structural Report for Planning Submission prepared by TJ O'Connor Engineers,
- Preliminary Construction Management Plan prepared by TJ O'Connor Engineers,
- Preliminary Construction and Demolition Waste management Plan for Planning Submission prepared by TJ O'Connor Engineers,
- Engineering Services Report and Flood Risk Assessment for Planning Submission prepared by TJ O'Connor Engineers.
- Transport Assessment prepared by Systra Transportation Planning Consultants and
- Mobility Management Plan prepared by Systra Transportation Planning Consultants.

## **3.0 Planning Authority Decision**

### **3.1. Further Information**

Prior to the issuing of a Notification of Decision the Planning Authority requested further information on the following issues:

- Clarification regarding the redline boundary in the area of the proposed set down at Convent Lane and clarification that the applicant has sufficient legal interest in this part of the site.

- Clarification regarding what surface water attenuation is proposed and specifically drawings in plan and cross section showing where attenuation is proposed, what areas are proposed to drain to what attenuation system and detailed calculations. .
- Further details regarding pedestrian and cycle routes within the site and provision of increased cycle parking (110 no. spaces).
- Additional safety proposals for the approaches to the school including signage and road markings along Convent Lane to indicate its use as a shared surface. Applicant also requested to liaise with South Dublin Co. Co. to optimise connection to the Grange Road cycle improvements.
- That the application red line be extended to include the above infrastructure improvements.

The following is a summary of the main information and alterations to the proposed design / layout submitted in response to the request for further information:

- Copy of letter of consent from South Dublin County Council to making of application incorporating works outside of the red line boundary along Convent Lane.
- Layout and road markings drawing of the one way anti clockwise layout proposed for Convent Lane.
- Revised surface water layout and design drawings prepared by TJ O'Connor Consulting Engineers.
- Revised Site Plan drawings prepared by Simon J Kelly Architects.
- Percolation test results of on site testing.
- Drawings of permitted Grange Road cycle improvement scheme. Noted that the agreed cycle scheme provides for a Toucan Crossing on Grange Road at the junction with the Stonepark Abbey estate road and that the provision of an additional Toucan crossing by Loreto NS is not therefore required.
- Surface water drainage calculations for sub catchments of the site. Foul drainage layout.

- Report from HR Wallingford setting out surface water storage and design and greenfield runoff rates.
- Confirmation from Irish Water of feasibility of connection.
- Flood hazard summary report.

### 3.2. **Decision**

The Planning Authority issued a Notification of Decision to Grant Permission subject to 18 no. conditions. The following conditions are specifically noted in the context of the current appeal:

- Condition No.2 requires that the temporary school would be removed from the site within 12 months of the occupation of the permitted development.
- Condition No.4 relates to surface water and requires inter alia that prior to the commencement of development that details be submitted showing an increase in surface water attenuation capacity by 17 percent and that the capacity of each attenuation system would be clearly identified.
- Condition No.5 relates to roads and includes a requirement that six months after the occupation of the development\_a mobility management plan to be submitted and agreed with the planning authority.
- Condition No.6 relates to conservation and includes a requirement that the development be overseen by a qualified conservation architect and that the that the mitigation measures contained in the timber decay and dry rot survey and the window condition survey be implemented in full.
- Condition No.7 requires that a bat survey be undertaken.
- Conditions 11 and 12 require archaeological recording and monitoring to be undertaken.
- Condition No.14 requires the preparation of a Construction Traffic management Plan.



### 3.3. Planning Authority Reports

#### 3.3.1. Planning Reports

Initial report notes the content of the internal and external reports received and third party observations. The principle of the proposed development is considered to be acceptable as is the general design approach and the impact of the proposed development on the wider convent lands setting and the protected structure status of Loreto Abbey. The existing entrance from Stonepark Abbey is considered to be an established entrance and that the reference to a permitted entrance for emergency vehicles relates to an access to Convent Lane. A number of concerns with regard to the modal split proposed, connection between the site and surrounding cycle infrastructure (notably the cycle upgrade project on Grange Road), surface water drainage / attenuation and land ownership / consent issues are raised. Further information on these issues is recommended. Second report subsequent to the response to further information recommends a grant of permission consistent with the notification of decision which issued.

#### 3.3.2. Other Technical Reports

Environmental Health – No objections (note – the Planning Authority state that this report was verbal to the Planning Officer and no hard copy is on file).

Parks and Landscape – Further information recommended relating to landscape plan, arboricultural assessment and bat survey. Conditions recommended in the event of a grant of permission.

Roads – No objection subject to conditions. Second report subsequent to the submission of further information states that no objection subject to conditions. Including an increased cycle parking requirement, submission of a construction traffic management plan and a mobility management plan with better modal split towards sustainable travel from that proposed will be submitted.

Water Services – further information regarding surface water attenuation required. Second report subsequent to receipt of further information states that no objection subject to conditions including submission of drawings showing capacity of surface water attenuation systems

Conservation Officer – No objection subject to conditions.

### 3.4. **Prescribed Bodies**

An Taisce – Report notes that the zinc roof to the granite building should be slate and that oversight of the works to the Teresa Ball House.

Irish Water – No objections subject to conditions. .

National Transport Authority – Report stating that the proposal offers an opportunity to maximise the shift towards sustainable transport modes. Measures recommended including the provision of safe connection within the site to cycle parking areas, adequate cycle parking provision, clear demonstration of how pedestrians and traffic will safely use Convent Lane, and that the car parking layout acts to prioritise car modal share rather than walking or cycling. In the event of a grant, a travel plan should be required.

### 3.5. **Third Party Observations**

The following is a summary of the main issues raised in the third party observations received by the Planning Authority:

- The implications of the development on access to the Stonepark Estate, traffic congestion and parking. Issues regarding blocking of access to houses and illegal parking are common. The development would exacerbate these issues.
- Issues of air pollution due to traffic.
- That the primary access should not be via Stonepark estate.
- No clear indication as to how traffic, including construction traffic would be managed in the development. A traffic management system should be put in place.
- That no details have been provided regarding the future plans of the other three schools in the vicinity and there is therefore the potential for further intensification.

- That the set down parking area of 20 no. spaces would be completely inadequate and not have any impact on congestion issues in Stonepark Estate.
- Significant deficiencies in the traffic study in terms of scope, alternative options, impact on Grange Road and traffic management in Stonepark Estate.
- That consideration should be given to the use of alternative accesses and access / set down arrangements.
- That the gate to the school site from Stonepark Abbey was historically only for emergency use.
- That the completion of the Grange Road cycle scheme will result in reduced potential for parking along Grange Road and in the vicinity of the Loreto Abbey entrance.
- That there is a need for a more detailed traffic study and a mobility plan for the site.
- That the development would result in a loss of trees,
- Negative impact on built heritage and protected structures,
- Negative impact on residential amenity and on visual amenity for surrounding residents,
- Impact of the proposed on site ESB substation.
- Issues of emergency access and refuse / oversize vehicles not addressed in the application.
- Post FI response on traffic / access remains inadequate, and information on a more comprehensive plan to provide access to the site that would mitigate the impact on the residential areas to the south is required.
- Traffic / mobility targets remain very poor and the layout of Convent Lane as a shared area for cars and cyclists is not acceptable. Inadequate access to the school and Convent Lane for emergency services. There remains a lack of clarity regarding site ownership and responsibility and the proposed revised layout with access via Stonepark Abbey would result in a continuous loop of

circulating traffic between the Stonepark roundabout and the set down area looped circulation within the site.

- Lack of consultation by the applicant with surrounding residents.

## 4.0 Planning History

The following planning history is considered of relevance to the assessment of this appeal:

### ***Appeal Site***

- Ref. S00A/0162 – Application to widening of existing pedestrian gate to allow ambulance access and provision of separate vehicular access in private roadway . This entrance was proposed to be from the private access road within the school grounds which leads to the school buildings. From the online records it appears that further information was requested and there is no record of a decision.
- Ref. S00A/0377 – Permission granted for erection of a new gate to allow for ambulance access and provision of separate access in private roadway, both proposals involve works to a protected structure.
- Ref. S00A/0654 – Permission granted for the provision of a new glazed entrance porch, stairway and ramp access to Loreto NS building which include works to a protected structure.
- Ref. S01A/0565 - Permission granted to replace existing vehicular gate and wall and works to protected structure.

### ***Residential Lands to the South and East of School Site***

- Dublin County Council Register Ref G.548 – Application from 1974 for 113 no. detached houses at Loreto Abbey Grange Road. Application withdrawn prior to decision.

- Dublin County Council Register Ref. XA/2040; An Bord Pleanála Ref. PA/638/83 – Permission granted by Dublin County Council in April 1983 for the construction of 83 no. four bed semi-detached houses on lands accessed from Grange Road. A copy of the Board decision on this case has been submitted by the first party as part of the response to appeal.
- PA/2107/83 – Permission granted for residential development to the south and east of the school site in development that incorporates Stonepark Abbey.

### ***Loreto Abbey Site***

- South Dublin County Council Ref. S00A/0554 ; ABP Ref. PL06S.125554 – Permission granted by the Planning Authority and decision upheld on appeal for the construction of a mixed use development comprising the construction of 317 no. apartments in 10 no. blocks ranging in height from two to five storeys. This permission relates to development at Loreto Abbey to the east and north of the protected structures.
- South Dublin County Council ref. SD02A/0479; ABP Ref. PL06S.202004 – Permission refused by the Planning Authority and refused on appeal to the Board for amendments to approved mixed use development, including the retention of a Protected Structure comprising of 50 additional apartments and 84 additional car-parking spaces.
- South Dublin County Council Ref. SD04A/0858; ABP Ref. PL06S.210871 – Permission refused by the Board for change of use of Loreto Abbey (Protected Structure) from permitted use as 102 bedroomed nursing home to office units, 191 parking spaces and associated works.

The ABP history maps indicate the following appeal references that relate to the school site (091785) and the lands immediately to the north (095534 and 093710), however no record of these cases is available via the Boards website.

## 5.0 Policy Context

### 5.1. Development Plan

The appeal site is located on lands that are zoned Objective RES under the provisions of the South Dublin County Development Plan.

The following entries on the Record of Protected Structures are noted:

Ref. 252 Loreto Abbey, Rathfarnham Lodges (2) & Wrought Iron Gates

Ref. 253 Loreto Abbey, Rathfarnham Four Storey House, Chapel With Tower, Turrets

Ref. 254 Abbey View, 23 Grange Road, Rathfarnham, Detached Four-Bay Two-Storey House.

Ref. 256 Washington Lodge, 33 Grange Road, Rathfarnham, Detached Five-Bay Two-Storey with Attic Georgian House.

There are a significant number of plan policies referenced in the report of the Planning Officer. The following are specifically noted:

**Policy C9** relates to community infrastructure and specifically Policy C9 to primary and post primary educational developments.

**Policy C9(a)** states that *'It is the policy of the Council to work in conjunction with the relevant educational authorities to promote and support the provision of primary and post primary schools in the county'*.

**Policy C9 Objective 5** states that *'it is policy to support and facilitate the extension of existing school facilities....subject to appropriate safeguards in relation to traffic management and the amenities of the area'*.

**Policy C5 Objective 9** states *'to ensure all proposals for new schools make adequate and sufficient provision for both 'drop off' and parking spaces for staff and parents with a view to safe and manageable traffic flows'*.

**Chapter 6** relates to transportation and includes policies relevant to walking and cycling (Policy TM3), traffic and transportation management (Policy TM5), and Policy TM7 relating to car parking.

**Chapter 9** relates to heritage and conservation and includes Policy HCL3 relating to protected structures and HCL5 relating to the reuse and adaptation of older buildings.

Copies of the relevant policies are attached with this report.

## **5.2. Natural Heritage Designations**

5.3. The appeal site is not located within or close to any European site. The closest European sites to the appeal site are as follows:

The South Dublin Bay SAC and South Dublin Bay and River Tolka Estuary SPA are located approximately 6.4km to the north east of the appeal site at the closest point.

The Wicklow Mountains SAC and SPA sites are located c.6.5km to the south of the appeal site at the closest point.

The Glenasmole Valley SAC is located c.7km to the south west of the appeal site at the closest point.

## **5.4. EIA Screening**

The form of development proposed comes within the scope of class 10(b)(iv) of part 2 of the Fifth Schedule which relates to:

(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.

The proposed development is therefore of a class for the purposes of EIA.

## **6.0 The Appeal**

### **6.1. Grounds of Appeal**

The following is a summary of the main issues raised in the third party appeal received:

- That the appellant is originally from the area and remembers the environs of the site from before the school being developed.
- That when the school was developed the access was via the lanes, Convent Lane.
- That the gates from what is now Stonepark Abbey development were originally installed to be used for emergency access to the school site. They were locked and not in general use for access to the school grounds.
- That the that access via this entrance for school access was undertaken over time with pedestrian access first and for cars.
- That the use of the access to Stonepark caused and continues to cause significant traffic congestion and results in traffic jams two to three times per day.
- Entrances are blocked and the area used as a car park / set down area with significant inconvenience for residents.
- There have been attempts to address the situation with the school management requesting parents to avoid illegal parking, the installation of double yellow lines and other traffic management measures, however these have not been effective.
- The use of the estate as a parking area has a negative impact on air quality and the proposed development would worsen this situation.
- That if there is to remain a connection between the school and Stonepark Abbey and the school grounds post development with a set down area provided then it will be an attraction for antisocial behaviour.



- That the traffic management proposed shows no understanding of the existing situation. The plan accepts that the proposed development will exacerbate an already disastrous and unhealthy situation.
- That a comprehensive traffic plan should be devised with the vehicular and pedestrian existing access to Stonepark Abbey being closed.
- One solution would be the use of the two legs of Convent Lane as a one way system with a set down area provided in place of the demolished nursing home. A fully integrated parking system would be provided within the school property.
- Second suggested solution involves the realignment of the northern boundary of the northern arm of Convent Lane and the creation of a widened lane that can accommodate traffic, pedestrians, and cyclists. Alternatively, the northern leg could be widened to a two way street with the southern leg used for pedestrian access.

## **6.2. Planning Authority Response**

The Planning Authority have responded to state that it confirms its decision.

## **6.3. First Party Response to Grounds of Appeal**

6.3.1. The following is a summary of the main issues raised in the first party response to the third party appeal received:

- That the design of the development has been undertaken having regard to the current traffic situation and have sought to ameliorate this situation.
- Submitted that the provision of a dedicated drop off and collection area within the school lands will have a significant positive impact on congestion within Stonepark Estate.
- The introduction of a secondary egress route from the school site to Convent Lane will also have the effect of reducing the impact on Stonepark Abbey as exit traffic will not have to go via Stonepark Abbey.

- The setting back of the boundary on Convent Lane to create the set down spaces will have the effect of widening and improving the circulation of traffic on Convent Lane. The use of a one way circulation on Convent Lane will also have the effect of reducing the impact on Stonepark Abbey estate.
- That consideration was given to the staggering of the start / finish time for classes, however the options for this are limited by the fact that the start / finish times for the schools in the local area including Loreto NS are already staggered.
- That it is the understanding of the design team that the access via Stonepark Abbey has been in use by the school since the early 1980s. south Dublin County Council state that they are not aware of anything that contradicts this.
- The reference by the appellant to the 1982 permission for 86 no. houses is noted and the council reference for this appears to be XA2040 and ABP Ref. PA/638/83. Copies of documents related to this permission are attached with the response and it is highlighted that condition 8 attached to the decision refers to an access to Grange Road School and Condition No.16 refers to the widening of the access to the Grange Road School to 18 feet. Noted also that Item 3 on page 11 required submission of design proposals for the proposed school access facility and that none of the conditions or other information relating to the application indicates that the school access road was intended to be limited to use for emergency access only.
- That in the event of a grant of permission the successful contractor will prepare a site specific construction traffic management plan. Such a plan will include information on access arrangements including management of potential conflicts with residential properties, measures for the avoidance of queuing, mitigation for pedestrians and traffic in the event of road or footpath closures, and on site parking for construction workers.
- That the proposed development seeks to encourage more sustainable modes of transport and therefore minimise potential impacts on air quality. The proposal includes for cycle lanes and associated signage along Convent Lane, and these have been developed in accordance with South Dublin County Council. cycle and scooter parking is proposed to be provided at

levels in excess of the requirements of the council and the provision of electric charging points in the car parking area.

- That the design team is aware of the anti-social behaviour in the area of the site in recent years and it is submitted that a significant reason for the attraction of such behaviour is the derelict Lourdes Nursing Home which is proposed to be demolished.
- Improved lighting and CCTV are proposed as part of the development. The design also incorporates passive surveillance.

#### **6.4. Observations**

6.4.1. Two observations on the grounds of appeal have been received and the following is a summary of the main issues raised in these submissions:

- That the redevelopment of the school is supported but not without a meaningful solution to the traffic / parking issues that arise at the site and which would be exacerbated by the proposed development.
- Submitted that the council gave little or no regard to the content of the submission submitted to the Planning Authority by the Stonepark and Longwood Residents Association.
- That the residents' concerns regarding safety, inconvenience, nuisance, and the impact on the environment as cited in the submissions to the planning authority have been ignored in the decision.
- That the alternative options for parking and drop off arrangements have similarly been dismissed by the Planning Authority.
- That the core issue is the gates that connect Stonepark Abbey estate from the school grounds and avenue. These gates are restricted by the school, to teacher parking only and such that the only option for set down and parking for parents is within Stonepark Abbey.
- That the layout results in severe traffic congestion and problems accessing houses within the Stonepark Abbey development.

- That the council has granted permission for a development that does not provide for any provision for parking or drop off of pupils despite the fact that alternative options submitted by third parties have demonstrated how there is room on the school site to accommodate such set down / parking and that a comprehensive arrangement that provides for the parking / set down requirements of the adjoining Gaelcholaiste An Phiarsaigh could also be provided.
- The statement that the proposed development would be 'an improvement' as stated in the Chief Executives Order is rejected.
- That the permission granted in the 1980s for the access to the school grounds from the Stonepark Abbey development and the provision of set down bays at the entrance to the estate have resulted in very negative impacts and that this access should be extinguished. The continued use of this access is contrary to the proper planning and sustainable development of the area.
- That the deficiencies in the width of Convent Lane and resulting hazards are clearly noted and accepted in the submission of the applicant in response to the request for further information.
- An Bord Pleanála needs to determine that the Convent Lane shared surface meets the requirements of the National Cycle Manual and to note the wording of Policy TM3 Objective 5 which requires that all new school developments or expansions of greater than 25% should provide for a cycle path from the school to the nearest cycle network where feasible. This is not feasible in the case of this application.
- That regard be had to Convent Lane and to the option of an access from the north via a route to the east of the Loreto Abbey apartments for the provision of emergency access to the site.
- That the option of widening Convent Lane North should be explored.
- That the proposed 20 no. drop off spaces would be insufficient to cater for the demand or impact on the issues that arise in relation to Stonepark Abbey. The dwell time in such spaces for primary school children would be significant.

- That the removal of the gates / piers to Stonepark Abbey would lead to anti-social behaviour.
- That concerns expressed regarding the circulation and tailbacks from circulation of traffic through the internal set down area and the roundabout in Stonepark Abbey have not been addressed.
- That there are a number of options open to the Board including refusal of permission on the basis of traffic management and impact on proper planning and development, or alternatively to grant permission subject to a cap on student numbers at existing levels, perhaps with provision for additional students subject to a mobility management plan and a further grant of permission.
- That there is a lack of future traffic planning regarding the development and the long promised area wide mobility plan has not been produced by the council.
- That the decision does not take account of the concentration of schools in a small area, the future growth of these schools or the impact of future residential development in the general area. The modelling undertaken does not account for these issues in particular permitted and proposed increase in school numbers.
- That the intake of the new school should be limited until future travel plans in the area are known and planned for.
- That traffic on Grange Road during school drop off / collection times is already dangerous. The existing Stonepark roundabout is not safe for the purpose of a school drop off having inadequate markings, signage and visibility when exiting from the school side.
- That the traffic survey submitted by the applicant is deficient and does not account for the 'churn' of parking spaces within the site (20 no.) or the realistic dwell time in these spaces.
- The traffic assessment is also deficient in terms of traffic volume predictions, markings at the roundabout, the impact on Grange Road traffic or the impact on traffic volumes and tailbacks within the estate.

## 7.0 Assessment

7.1. The following are considered to be the main issues in the assessment of this appeal:

- Principle of Development
- Design, Scale, and Impact on Residential Amenity
- Architectural and Conservation Issues,
- Traffic and Access,
- Environmental Impact Assessment
- Appropriate Assessment

### 7.2. Principle of Development

7.2.1. The appeal site is located on lands that are zoned Objective RES under the provisions of the *South Dublin County Development Plan, 2016-2022* with a stated objective 'to protect and / or improve residential amenity'. The wider Loreto Abbey site is also zoned Objective RES with the mix of uses including educational, religious and residential development.

7.2.2. As per Table 11.2 of the *South Dublin County Development Plan, 2016-2022* 'education' use is identified as being open for consideration on lands zoned Objective RES. Given the existing and historical use of the site for educational use it is my opinion that the principle proposed redevelopment of the site for educational purposes is consistent with the zoning objective. With regard to the proposed demolition of the nursing home building at the western end of the site (Lourdes Nursing Home), this use is identified in the Plan as 'Permitted in Principle'. Given the vacant and semi derelict nature of the Lourdes nursing home building it is my opinion that its demolition and incorporation into the school site is acceptable in principle and consistent with the zoning of the site.

- 7.2.3. In addition to the zoning, there are a number of other policies contained in the plan which are relevant to the principle of the form of development proposed. Policy C9(a) states that *'It is the policy of the Council to work in conjunction with the relevant educational authorities to promote and support the provision of primary and post primary schools in the county'*. More specifically, Policy C9 Objective 5 states that *'it is policy to support and facilitate the extension of existing school facilities....subject to appropriate safeguards in relation to traffic management and the amenities of the area'*. The form of development proposed is in my opinion consistent with these policies, subject to issues relating to traffic and impact on amenities being acceptable. These issues are considered in more detail in the following sections of this report.
- 7.2.4. I note that a significant number of the third party submissions on file, notably the observers to the appeal and observations made to the Planning Authority state that they welcome the principal of redevelopment of the school buildings. Based on my inspection of the site the existing classroom facilities are old and in generally poor condition and the provision of modern purpose built school accommodation is clearly justified. The application documentation is not very clear with regard to the justification for the increase in capacity of the school post re development or the exact student numbers involved. Regarding justification, I assume that as funding has been sanctioned by the department there must be a clear demand for increased capacity within the school catchment although this is not detailed in the application. Regarding student numbers, there are some apparent contradictions in the figures presented. Specifically, paragraph 3.1 of the Planning Report submitted with the application makes reference to 640 no. students post development while paragraph 4.1 of the Transportation Assessment states that the existing number of pupils is 510 no. and that this is proposed to increase to 700 no. post re development of the site. It would appear that the 510 and 700 pupil number numbers pre and post development are the correct figures.
- 7.2.5. Overall, given the form of development proposed and the existing and long standing use of the site for educational use, it is my opinion that the proposed development would be acceptable in principle subject to other relevant planning considerations including the impact on traffic management and amenity being acceptable.

### **7.3. Design, Scale, and Impact on Residential Amenity**

- 7.3.1. The proposed redevelopment involves the replacement of the existing single storey school buildings on the site with a part single storey and part two and three storey school building. The proposed layout is such that the school building would face houses to the south on Stonepark Abbey and to the east on Stonepark Court. To the north and north east, the development site adjoins residential apartment development within the grounds of Loreto Abbey. Other potential impacts on residential amenity include relocated play / ballcourt areas and the temporary accommodation proposed during construction. Issues related to the impact of additional traffic and changes to access and on site circulation for vehicles will be considered in the following section relating to Traffic and Access.

#### ***Daylight and Sunlight***

- 7.3.2. The planning application does not contain any specific documentation relating to the impact of the proposed development in terms of daylight and sunlight and it has not been referenced in the grounds of appeal or observations received by the Board on these appeal grounds.
- 7.3.3. The form of development proposed does not comprise residential Section 3.2 of the Urban Development and Building Heights Guidelines (2018) states that 'The form, massing and height of proposed developments should be carefully modulated so as to maximise access to natural daylight, ventilation and views and minimise overshadowing and loss of light'. The Guidelines state that appropriate and reasonable regard should be taken of quantitative performance approaches to daylight provision outlined in guides like BRE 'Site Layout Planning for Daylight and Sunlight' (2nd edition) or BS 8206-2: 2008 – 'Lighting for Buildings – Part 2: Code of Practice for Daylighting'. There is no specific reference to either the BRE Guidelines or the BS 8206-2 in the *South Dublin County Development Plan 2016-2022*.
- 7.3.4. To the south, the proposed new school building will not be located any closer to the boundary with the existing houses on Stonepark Abbey than is the case with the existing school buildings and a separation of approximately 14.5 metres to the boundary is proposed to be retained. While the new development in this area is proposed to be single storey it would be up to approximately 8 metres in height and therefore significantly higher than the existing structures. The single storey



development in this area is proposed to accommodate a general purpose hall and while there are high level windows indicated these would not be such that any issues of overlooking could arise. Overall, I consider that the design, scale and set back of the single storey development proposed at the southern end of the classroom block is such that no significant negative impacts on residential amenity are likely to arise. The location of the proposed development to the north of the houses on Stonepark Abbey and the proposed separation distances proposed are such that I do not consider that any issues of loss of daylight or sunlight are likely to arise.

- 7.3.5. To the east, the houses in Stonepark Court would be located such that the proposed two storey classroom block would be c.8.5 metres away from the closest house. The height of the proposed classroom block in this location would be c.9 metres to parapet height, however the relationship between the closest houses and the south facing windows in the classroom block is such that I do not consider any issues of overlooking are likely to arise. The increased height of the classroom accommodation in this area may give rise to some very slight loss of sunlight to the front of the closest houses (Nos. 4 and 5), however any such impacts would be limited to late evening times in mid-summer. Based on the scale of development proposed and the relative layouts I do not consider that the proposed development would have any negative impact on the availability of daylight to these properties or sunlight to the private amenity spaces to the rear of the properties.
- 7.3.6. The existing apartment developments to the north and north east of the proposed development would be located c.37 metres away in the case of the block to the north (Frances Ball House) and c.25 metres away in the case of the block to the north east. These separation distances and the relative orientations of the existing and proposed developments are such that I do not consider that any significant issues in terms of loss of amenity due to overlooking or loss of privacy would be likely to arise. The separation distances, relative locations, and height of the proposed development in this area at a maximum of c.12.4 metres to parapet height are also such that I do not consider that the proposed development would have any negative impacts on these existing apartment units to the north in terms of daylight and sunlight.

- 7.3.7. The layout proposes the provision of a number of new play areas and ball courts within the development. In general, I do not consider that the location and layout of these areas would have any greater impact on the amenity of surrounding residential properties on the basis that the separation distances to residential properties are similar to the main existing school yard. The main exception to this is the ball court proposed to be sited at the north east corner of the site where it would be located within c.8 metres of the residential blocks to the north (Hogan House and Frances Ball House). This area is a dedicated ballcourt and it does not appear from the drawings as if it would be used as a primary play area for children during school breaks. When used for sports the impact of the ballcourts would be limited by the fact that it is not proposed to be fitted with floodlights. No details regarding the proposed hours of use of the ballcourts has been included with the application and none of the conditions attached to the Notification of Decision issued by the Planning Authority restrict the use of these spaces. In the event of a grant of permission it is open to the Board to specify that the ballcourts shall not be used outside of normal school hours including on Saturdays.
- 7.3.8. The location of the proposed substation at the western end of the avenue that accesses the school buildings, and in a location immediately to the north of Nos. 1 and 3 Stonepark Abbey, is noted. Condition No.18 attached to the Notification of Decision to Grant Permission requires that noise and vibration from the substation would not be such as *'to give reasonable cause for annoyance to a person in any residence , adjoining premises or public place in the vicinity'*. The ability to monitor and enforce such a condition is in my opinion questionable and I have concerns that the proposed substation would have potential negative impacts on residential amenity given the proposed location immediately adjoining the boundary with Nos.1 and 3 Stonepark Abbey and within less than 10 metres of the rear elevation of these houses. In the event of a grant of permission it is therefore recommended that a condition be attached requiring that the substation be relocated within the layout such that it is a minimum of 20 metres from the boundary with any residential property. A location further to the north within the existing walled garden would have the effect of achieving such a separation.

- 7.3.9. During the course of the construction period of project it is proposed that a temporary prefabricated two storey classroom block would be erected within the existing walled garden area immediately to the east of the existing Lourdes Nursing Home. The location of this facility would introduce a temporary impact on houses located at the western end of Stonepark Abbey, however I consider that impacts on residential amenity would be substantially and adequately mitigated by the separation distance of c.25 metres from the closest houses. The exact duration of the construction phase is not detailed in the preliminary Construction Management Plan submitted with the application, however in the event of a grant of permission it is considered appropriate that the decommissioning of the temporary accommodation would be required to be completed within a maximum of six months of the first occupation of the permitted new school premises.
- 7.3.10. The design of the school buildings is contemporary and in my opinion of a high overall standard. The integration of the design with the structures to be retained on the site is considered in more detail in the section below relating to conservation, however the siting, design and materials of the proposed new classroom accommodation is not in my opinion such as to have a significant negative impact on the setting of any protected structures or on the overall Loreto Abbey complex. The design incorporates a reduction in scale from the north of the site to the south which as discussed above, protects the residential amenities of existing properties to the south and east.
- 7.3.11. A number of third party submissions on file make reference to concerns that the proposed development would lead to anti-social behaviour primarily arising from the creation of the set down area at the western end of the site. On this issue I would firstly note that the available information on file and from my inspection of the site points to the existing Lourdes Nursing Home building being a significant source of anti-social activity with the requirement for 24 hour cctv and monitoring of this part of the site. In my opinion, the removal of this structure would have a significant positive impact in terms of removing an poorly supervised and unused area where anti-social activity would be attracted.

7.3.12. The proposed set down area will not be connected to the Stonepark Abbey development during out of school hours and a new gate is proposed to be erected at the entrance from Stonepark Abbey that would remove the existing gate piers. This arrangement would protect the residents of Stonepark and Longwood developments from anti-social activity due to persons congregating in the proposed set down area within the school grounds. It is also proposed that this area will be separated from Convent Lane by gates at the top of Convent Lane that would remain closed, and that the area would be supervised by the provision of lighting and CCTV in this area. Overall, therefore, I consider that the proposed development would have a positive impact on the residents of the Stonepark and Longwood developments in terms of anti-social behaviour.

#### **7.4. Architectural and Conservation Issues**

- 7.4.1. The context of the site is such that it forms part of a larger complex of educational and institutional lands and buildings in this location which are of some historical and architectural significance. The site is also adjoined by a number of protected structures which include the Loreto Abbey main complex of buildings located to the north west of the site and which includes the Pugin Church. The development proposes the demolition of the Lourdes Nursing Home building at the western end of the site which is located contiguous to the Teresa Ball House building. Teresa Ball House is located within the curtilage of Loreto Abbey which is on the record of protected structures and has a physical connection with the Pugin Church part of the Loreto complex. The proposed development at the western end of the site therefore has potential to impact on the character and setting of the Loreto Abbey protected structure.
- 7.4.2. In the centre of the site, the stone two storey original schoolhouse building is proposed to be retained and incorporated into the new development. This structure is not included on the record of protected structures and is not clearly within the curtilage or same complex of buildings as Loreto Abbey.
- 7.4.3. With regard to the proposed demolition of the three storey nursing home building facing onto Convent Lane, this structure is an extension of the Teresa Ball House building and is therefore not an original part of the setting or complex of buildings at

Loreto Abbey. This building is included on the National Inventory of Architectural Heritage (NIAH) where it is stated to be of regional significance due to its architectural and social significance. The location of this building is such that its demolition and removal would not in my opinion have any negative impact on the setting of the Loreto Abbey structures. Rather, the removal of this structure would in my opinion act to improve the overall visual composition of the Loreto Abbey complex. In addition, the design and appearance of the structure is in my opinion such that it is not of a particular architectural or conservation significance. While included on the NIAH, the removal of the structure has to be set against the potential for the readaptation of the building which I consider to be low and also the benefits to the overall layout of the site that would arise from the demolition of the structure, notably the provision of the proposed set down area. The removal of the Lourdes Nursing Home building also has to be set against the proposed refurbishment of the stone school building and the Teresa Ball House and the reintegration of Teresa Ball House into active educational use. For these reasons, I agree with the assessment of the Planning Authority and the conservation Officer that the removal of this structure is acceptable in terms of conservation and visual amenity. The issues raised by the third party appellants regarding anti-social activity at the site and the response of the first party on this issue are also noted. Given the unoccupied and poor state of repair of the Lourdes nursing home building and its location with poor levels of passive surveillance, and from my inspection of the site and environs I would agree that the removal of this structure would have the effect of removing a source of anti-social activity at this location and improve overall safety and amenity along Convent Lane.

- 7.4.4. The works to the Teresa Ball House building are detailed in the Conservation Report (specifically Chapters 8-10) and the Planning Reports submitted with the application. This building is currently unoccupied and disused, and it is proposed that the structure would be repurposed to provide classrooms and ancillary accommodation for sixth class pupils. The works comprise the removal of existing non original internal alterations and the complete refurbishment of the building including repairs to the roof and to rainwater goods. All non original type windows are proposed to be removed and works to improve the energy efficiency of the building undertaken. The structure that currently connects Teresa Ball House to the Lourdes Nursing

Home and which accommodates a lift is proposed to be removed and an extension of c.85 sq. metres floor area is proposed to be added to the south west corner of the building. The proposed works would result in the building being brought back into active educational use in line with recommended conservation principles and it is my opinion that the nature of the works proposed would not have an adverse impact on the architectural integrity or character of the structure. Similarly, I do not consider that the proposed works, including the proposed extension would be such as to negatively impact on the character or setting of the Loreto Abbey protected structure including the adjoining Pugin church to the immediate north east.

7.4.5. The works proposed to the granite school building on the eastern part of the school campus is proposed to be refurbished including the re-roofing of the structure and it is proposed to be incorporated into the new school building. The granite school building is not located in the immediate vicinity of the Loreto Abbey buildings that are included on the Record of Protected Structures and is not itself a protected structure. The building does however form a significant element in the overall educational / institutional campus of buildings on the appeal site and the Loreto Abbey site and its retention and incorporation into the proposed layout is welcomed. In my opinion the relationship between the proposed new school accommodation and the granite building is appropriate and not such that it would significantly detract from the architectural integrity of the structure. In this regard, I note the submission on file from An Taisce who object to the proposed use of zinc in the replacement roof to the granite building and consider that the material should be slate to match with the existing surrounding buildings. In my opinion the finishes proposed including the use of the zinc roof are appropriate given the design and nature of the structure and the relationship with the new school accommodation to which it will be connected, and which is of contemporary design and materials.

7.4.6. In the event that the Board decides to grant permission it is recommended that a condition be attached requiring that the works to the Teresa Ball House would be overseen by a qualified conservation architect and that all works shall be undertaken in accordance with the details supplied in the Conservation Report including timber and dry rot surveys and window condition survey shall be complied with in the development.

## **7.5. Traffic and Access,**

- 7.5.1. The core grounds of the appeal received and a significant focus of the observations on the appeal received by the Board relate to the negative impacts that the existing operation of the school has on the traffic and general environment in Stonepark Abbey and adjoining residential areas and how the proposed expansion of the school would lead to an intensification of the existing issues. The submissions raise a number of fundamental issues with regard to access and also propose a number of potential alternative approaches to access.

### ***Status of Existing Access from Stonepark Abbey***

- 7.5.2. Firstly, the third party appeal received questions the status of the existing access to the site from Stonepark Abbey and contends that this access was only used for non-emergency access a number of years after the adjoining housing was developed. The Planning history of the site as far as is available from the information on file is presented at section 4 of this report and there are a number of references cited in the third party appeal received. In addition, the first party response to the appeal cites from and includes a copy of, Ref. XA/2040; An Bord Pleanála Ref. PA/638/83 which relates to a grant of permission issued in 1983 for the construction of 83 no. four bed semi-detached houses on lands accessed from Grange Road. The first party cites a number of conditions attached to this permission noting the reference to the width of an entrance to be provided from the school lands and the fact that there is no specific restriction on the use of the access cited in this permission.
- 7.5.3. My review of the available information relating to the existing access indicates that it is not possible to be definitive with regard to the status of the existing school access. Firstly, it is not clear what permission is that on foot of which the Stonepark residential development including the roundabout and access to the Loreto school was constructed under. Ref. XA/2040; ABP Ref. PA/638/83 cited by the first party relates to 83 no. semi-detached houses, however the format of development constructed in Stonepark includes a significant number of detached units and such that it is not clear that this is the parent permission for the Stonepark development. The first party appeal includes reference to a number of other planning reference numbers (for example Ref. PA/2107/83), however copies of the decisions or other

relevant documents relating to these cases are not on file and I have not been able to obtain details of these decisions either in the Board records or on the website of the planning authority. Therefore, on the basis of the information presented, I cannot either confirm or refute the contention of the third parties that the existing access to the school lands from Stonepark Abbey was only permitted as an emergency access. The existing situation however is clearly that the existing access has been used for a significant number of years both for vehicular access to staff parking on site and also for pedestrian access for pickups. I also note the fact that the road layout with the incorporation of the roundabout at the point of the school access would indicate that the access was intended to be more than solely an emergency access point. Overall, therefore, while there is no clear information to support the status of the existing access, I note the fact that there is an established pedestrian and vehicular access to the school lands from Stonepark Abbey and that the application as submitted proposes that this existing use would be retained in the proposed re development of the site. On the basis of the information available I do not consider that there is a clear basis to refuse permission on the grounds of the existing access being unauthorised.

#### ***Feasibility of Closure of Existing Access from Stonepark Abbey***

- 7.5.4. The third party appeal submitted contends that the status of the existing access from Stonepark Abbey to the school site and the impacts that this access has on the amenity of residents and traffic congestion and safety in the vicinity of the access are such that the existing school access should be closed to both vehicular and pedestrian traffic. The result of such an approach would however be that all vehicular, cycle and pedestrian traffic accessing the site would have to do so via Convent Lane to the west of the site. This lane is very narrow and, as detailed in section 3.5 of the Transport Assessment submitted with the application, is the subject of significant traffic congestion and parking during drop off and collection times. My inspection of the site was undertaken to coincide with the 2.45 main afternoon collection time at the school and, while I focussed on the conditions in Stonepark Abbey during the peak collection time, I also observed significant congestion, on street parking and a circulation of traffic around Convent Lane. Based on my observations of the conditions on Convent Lane and those recorded



during the surveys reported in the Transport Assessment document I do not consider that the closure of the Stonepark Abbey entrance as proposed by the third party appellant is a viable option for the school, even at its existing scale, to continue to function. The closure of the Stonepark Abbey entrance would in my opinion lead to chronic congestion on Convent Lane and on the Grange Road and would lead to an impossible situation for residences and businesses on Convent Lane in terms of traffic congestion and access issues. The increase in traffic on Convent Lane and the diversion of all traffic via this route would also in my opinion have a significant negative impact on pedestrian and cyclist safety due to the conflicts between vehicles and these more vulnerable road users.

- 7.5.5. With regard to my inspection of the site it is also worth noting that my observations of the collection period from within the Stonepark Abbey estate indicated a significant level of traffic within the area. There was not however traffic gridlock at the roundabout and, on the basis of my inspection, parking that occurred to the east of the roundabout did not appear to be such that it was causing a significant obstruction to passing traffic or the blocking of private accesses. In stating this I note the comments of the third party submissions on file which state that such issues do arise with considerable frequency and I also note the results of the traffic survey contained in the Transportation Assessment submitted with the application which details issues of illegal parking in the vicinity of the school including within Stonepark Abbey.

### ***Proposed Set Down Area and Site Access***

- 7.5.6. The design solution proposed by the first party to address the existing issues of congestion in the vicinity of the site and provide capacity for the additional pupil and staff numbers proposed is to utilise the area freed up by the proposed demolition of the Lourdes Nursing Home to provide a set down area within the site and also on the eastern end of Convent Lane. This set down area is proposed to be accessed from Stonepark Abbey where there is currently no access to traffic other than staff and service vehicles, with egress either back onto Stonepark Abbey or else onto Convent Lane. The proposed layout provides a total of 20 no. set down spaces with 7 no. on the eastern side of Convent lane and a further 13 no. internally within the site. In addition, the development proposes that the one way system on Convent Lane

would be formalised (anti clockwise) and that markings and signage would be provided on Convent Lane highlighting the fact that it is a shared surface for traffic and cyclists. In my opinion, the proposed arrangement has a number of advantages over the existing layout which can be summarised as follows:

- It provides a formal set down area that is located within school lands and which will reduce the demand for parking on the street.
- The provision of a set down area with an alternative access onto Convent lane would mean that traffic accessing from Stonepark Abbey would not have to exit the same direction reducing traffic on this road.
- The formal one way system proposed for Convent Lane will have the effect of reducing traffic conflicts on the lane and increasing the efficiency of traffic movements at both junctions with Grange Road,
- That the proposed layout would provide for a connection to the Grange Road cycle scheme that is currently under construction on the western side of Grange Road via a signalised crossing that is included as part of the scheme close to the junction with Stonepark Abbey.

Overall, it is my opinion that the approach proposed is appropriate and would have a significantly positive effect at providing for traffic set down and collections within the boundary of the school site which does not occur at present. The layout would also in my opinion be such that it would act to balance the pressure on Stonepark Abbey and Convent Lane access routes with traffic able to use either route to access from the internal set down area proposed.

- 7.5.7. While the development proposes the provision of an additional 20 no. set down spaces, the degree to which the increase in scale of the school would lead to additional car traffic is not very comprehensively addressed in the application documentation. On the basis of the existing ratio of car transport to and from school which from the survey detailed in the Transport Assessment is 58% in the morning and 53% in the afternoon collection, I estimate that the additional 190 no. students would generate c.78 round trips in the morning drop off period (190 by 0.58 divided by 1.4 for load factor per vehicle). The figure would be less in the afternoon collection due to staggered collection times between senior and junior students, lower percentage travelling by car and some students doing after school activities.

On the basis of these calculations, and assuming no change in modal split, the set down spaces would have to be turned over approximately four times during the morning drop off to compensate for the additional student numbers and I consider that this intensity of use of the spaces is likely to be achievable. In the afternoon collection period, the third party submissions question the degree of turnover of spaces when parents are collecting, and I would agree that it is likely to be lower. Against this, the number of students being collected at the afternoon peak will be lower than the morning and there is also in my opinion an onus on the school to manage the use of the set down area during these periods.

7.5.8. Third party observers to the appeal have raised specific issues with regard to the **capacity of Convent Lane** to accommodate the traffic proposed and whether the dimensions of the space would enable the requirements of the National Cycle Manual to be met. The first party has been clear in this regard that the dimensions of the lane area such that a dedicated cycle lane cannot be provided, however proposals for the provision of signage and road markings are in my opinion such that safe environment for pedestrians and cyclists can be maintained in this area. It should also be noted that access via Stonepark Abbey is available with the proposed rule that there be no cycling within the school campus. Students could therefore wheel their bikes to Stonepark Abbey and access onto the cycle route on Grange Road via the signalised crossing to be installed close to the Stone Park Abbey entrance. Overall, I consider that the layout for cyclists and pedestrians to access the site is satisfactory and, as will be detailed in sections below, a number of the changes put forward in the third party submissions on file are not clearly viable.

7.5.9. With regard to **junction capacity**, the Traffic Assessment submitted includes the results of traffic surveys of the main junctions in the vicinity of the site and an assessment of the likely impact of the proposed development on these junctions. The results of these assessments are set out at section 6.1 (Tables 6 and 7) of the Transportation Report and indicate that all junctions analysed will remain within the acceptable flow to capacity (RFC) levels and queue lengths post development in 2028 with the exception of a very slight exceedance of the RFC figure (0.86) in the case of the Stonepark Abbey / Grange Road junction. This degree of exceedance of normal 0.85 standard is very minor, and it should be noted that the calculations do not account for any improvement in modal split which would be sought in the future

on foot of the mobility management plan and the improvements in the cycling infrastructure in the vicinity of the site. For these reasons, I consider that the likely impact of the proposed development on junction capacity and delays at the junctions in the vicinity of the site.

7.5.10. A total of 28 no. **parking spaces** are proposed to be provided on site plus 2 no. accessible spaces. This parking provision is slightly in excess of the 1 no. space per classroom recommended maximum which would give a maximum of 24 no. spaces. The slight over provision of spaces is considered acceptable given that the existing number of spaces on site is 34 no. and that the scale of the development is proposed to increase from 27 no. staff to 33 no. As part of the request and subsequent response to further information the total number of cycle parking spaces was increased from 82 no. to 110 no. which is now consistent with the development plan standard. A total of 72 no. scooter parking spaces are also proposed which I consider to be adequate. Submissions on file including from the NTA raise issues regarding the on site provision for cyclists and the access route from the school entrance to the bicycle parking area. The response to further information clarifies that the existing protocol on site is that cyclists dismount on entering the school grounds and I note and accept this solution.

7.5.11. The application is accompanied by a **mobility management plan** which sets out the results of the travel survey undertaken on the existing school and the proposed post development changes in modal split. These changes are relatively limited in terms of reduction in the percentage of staff and students travelling by car and this issue is highlighted in a number of third party submissions to the Board and observations to the planning authority, including that from the NTA. In the event of a grant of permission it is considered necessary that within six months of the commissioning and first occupation of the development, a revised Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority, and that this shall provide for incentives to encourage the use of public transport, cycling, walking and car pooling by staff and students in the development and to reduce and regulate the extent of staff parking. All of these changes are referenced in the draft MMP submitted with the application, however it is considered appropriate that detailed targets and measures under these headings would be worked up post

commissioning of the development with the aim of reducing the reliance on private car transport to the school for both pupils and staff.

### ***Suggested Alternative Access and Set Down Arrangements***

- 7.5.12. The third party submissions received by the Board put forward a number of potential alternative access layout to the site which it is contended would be preferable in terms of traffic safety and the avoidance of negative impacts on Stonepark Abbey / Longwood Park in terms of congestion and illegal parking. It is noted that all of these alternatives propose the removal of the existing access from Stonepark Abbey. The basic point raised in these submissions regarding the concentration of educational facilities in the immediate vicinity of the site with the Loreto NS adjoining the Gaelcholaiste An Phiarsaigh on the Loreto Abbey site immediately to the north is noted, and I would agree the option of the examination of options for shared access to the two schools merits examination. In stating this however it is noted that the responses on file from the first party do not indicate a willingness to put forward any such combined access arrangements and that the solutions set out in the third party submissions would involve works outside of the site boundary of the application the subject of this appeal.
- 7.5.13. The first party appellant proposes that the existing access to Stonepark Abbey would be closed to vehicular and pedestrian traffic and that the option of widening of Convent Lane north would be pursued. It is contended that this would enable a set down area along Convent Lane to be provided that could serve the national school. In my opinion there are a number of factors that should be noted with regard to such a layout. Firstly, the layout the subject of appeal proposes the provision of a set down area within the school site. Secondly, the length of Convent Lane North is c.75 metres and therefore the number of set down spaces that could be accommodated would be limited (12 – 13 no. on the basis of a 6 metre length). Any such set down area would also have to be capable of accommodating all set down and parking traffic on Convent Lane as access to Stonepark Abbey would be closed. For the reasons set out above relating to the width of Convent Lane and the restrictions at the junction with Grange Road such a layout would in my opinion significantly increase congestion issues over the existing situation. Finally, the provision of any set down area would require the realignment of the existing wall on the north side of the lane. This wall forms the boundary with Loreto Abbey which is a protected

structure and the removal / setting back of the boundary in this location would in my opinion have a potentially negative impact on the character and setting of the protected structure.

7.5.14. The observers to the appeal contend that the development should incorporate a set down area within the school site and not rely on parking within the Stonepark Abbey / Longwood Park residential areas. It is submitted that third parties have demonstrated how there is room on the school site to accommodate such set down / parking and that a comprehensive arrangement that provides for the parking / set down requirements of the adjoining gaelcholaiste could also be provided. On these suggestions it should be noted that the current proposal before the Board does provide for a set down area within the school lands and that a total of 20 no. spaces are proposed to be provided. As discussed previously in this assessment, I do not consider that a layout that entirely removes access to the school site via Stonepark Abbey is viable even with the existing number of students as it would result in excessive congestion on Convent Lane. Also as previously discussed, I consider that the proposed layout that encourages a one way flow through the set down area with access from Stonepark Abbey and exit via Convent Lane is the most efficient layout available given the location of the site and the constraints arising from the surrounding road network and land uses. With regard to the development of an integrated approach to parking, set down and access with the Loreto Abbey / gaelcholaiste site to the north, such a set down area would have to be on lands immediately to the west of the Loreto Abbey complex of buildings and such that it could potentially impact in a significantly negative way on the setting of the protected structure and site curtilage. Any such set down area would in any event be outside of the site boundary as defined in the current application and would involve the creation of a one way system using Dispensary Lane to the north and Convent Lane to the south. Notwithstanding this, the capacity of these roads, in particular Convent Lane to accommodate all the traffic generated by two schools is in my opinion questionable. I note that other third party submissions on the appeal file make reference to the potential for the creation of access to the Loreto NS school from the north via a connection to the rear (east) of Loreto Abbey. It should be noted however that any such arrangement would involve access via what are currently

private roads which serve existing residential development on the Loreto Abbey lands.

7.5.15. I note that a number of third party submissions on file highlight the fact that there are four existing schools located in close proximity (these being Loreto NS, the gaelcholaiste to the north, Loreto Beaufort on the western side of Grange Road and St. Mary's boys NS c.250 metres to the north west) and that options for the co ordination of access to these schools should be examined. From the information provided by the first party, it would appear that the start and finish times of these schools are already co ordinated and staggered to minimise traffic congestion and disruption as far as is practicable.

7.5.16. In **conclusion** with regard to access it is appreciated that the existing operation of the Loreto NS gives rise to some issues for surrounding residents and commercial premises due to the constrained nature of the access to the site. The primary solution sought by the appellants and observers to the appeal is that the existing access to the school site from Stonepark Abbey needs to be closed for school access. As set out above, on the basis of the information presented with the application and my observations of the site, such an approach is not feasible even were the school to remain at its existing size and restriction of access in this way would lead to very significant congestion on Convent Lane and an impossible situation for residents and businesses on Convent Lane. Proposals put forward in third party submissions made to the Board and to the Planning Authority with regard to the provision of a shared access arrangement and set down area for the Loreto NS and the adjoining Gael Colaiste are noted and in principle any such feasible solution would worth examination. As set out above, no such solution has been proposed by the first party and such solutions would require works outside the identified site boundary. Proposals for the widening of Convent Lane or the creation of an access route and set down area to the front (west) of Loreto Abbey would have potentially significant conservation implications and connections to the Loreto NS school from the eastern side of Loreto Abbey would potentially impact on residential amenity of development in this part of the site as well as having issues of legal interest. Overall, for the reasons set out in the assessment above I consider that the solution put forward by the first party represents the most efficient compromise for the provision of access and parking at the site. In my opinion, the layout would have

the effect of providing a significant extent of new set down parking within the school lands and the proposed circulation would likely reduce the level of traffic on Stonepark Abbey as well as increasing the efficiency of use of Convent Lane. In addition, I note the provision of the cycle infrastructure on Grange Road that is nearing completion and, on the basis of the transport survey undertaken and the proposed mobility management plan, I consider that there is also realistic scope for the further reduction in the car share of pupil trips to and from the site. While not a perfect solution, and likely resulting in some ongoing congestion and disruption for the residents of Stonepark Abbey and Longwood Park, the layout proposed is in my opinion an acceptable compromise and one which would mitigate negative impacts to a significant degree and such that refusal of permission or the restriction in the increase in pupil numbers proposed would not be warranted.

## 7.6. Other Issues

- 7.6.1. A number of issues relating to **drainage** were raised during the course of the assessment. The proposal involves works to surface water drainage infrastructure that are on the Loreto Abbey lands to the north and as part of the assessment consent to the undertaking of such works outside of the identified site boundary was submitted. The consent of the council to the making of the application in respect of works at the Convent Lane end of the site was also submitted as part of the response to further information.
- 7.6.2. Details of the **surface water drainage** layout on the site was also the subject of clarification as part of the request for further information. The information submitted by the first party in response includes a report from HR Wallingford setting out the surface water storage and details of the measures to ensure that discharge from the site to the surface water drainage network would be restricted to greenfield runoff rates. On the basis of the information presented and noting the comments of the Water services section of the council I consider that the proposals regarding surface water drainage and attenuation are acceptable. I note that the report of the Water Services section requests that drawings showing the capacity of surface water attenuation systems be submitted prior to the commencement of development and in the event of a grant of permission it is recommended that the submission of this



information be required by condition. It is also noted that the Water Services Section specify that there should be a further increase of c.17 percent in the attenuation capacity on site. From my review of the proposals submitted as part of the response to further information such an increase should be feasible.

- 7.6.3. A flood risk assessment is included as part of the Engineering Services Report submitted with the application. As noted at paragraph 6.10 of this assessment and indicated in Appendix G, there have been a number of historical flood events in the general vicinity of the appeal site with events recorded to the north on Nutgrove Avenue and to the west on Willbrook Road in the environs of the Owendoher River. None of these events directly impacted the appeal site or immediate environs and the South Dublin County Council strategic flood risk assessment indicates that the appeal site lies within floor risk zone C. The floor level of the proposed school building is located at a higher level than surrounding properties, notably the residential development located to the south and the 1% AEP flood event level is 53.15 m AOD whereas the minimum floor level of the new school buildings are 53.9 m AOD giving a headroom of 750mm which I consider to be acceptable. The fact that the FFL of the Teresa Ball House building would be slightly below the 1% AEP flood level is noted in the response to further information submitted and I would agree with the assessment in this response that given the historic nature of the building, the change to the floor levels that would be required to provide the requested 500mm headroom above the 1% flood risk level would not be realistic from a conservation or design perspective. Similarly, on the basis of the information presented, I do not consider that the site is at significant risk of pluvial flooding.
- 7.6.4. The provision of **water and foul drainage capacity** to serve the larger facility proposed for the site has been accepted in principle by Irish Water and in the event of a grant of permission a condition requiring the applicant to enter into a connection agreement with Irish water for these services is appropriate.
- 7.6.5. The application documentation includes a preliminary **construction and demolition waste management plan** and in the event of a grant of permission it is considered appropriate that a condition requiring the submission of such a plan for the agreement of the planning authority would be attached. Similarly, in the event of a grant of permission it is recommended that a construction management plan would be required to be submitted and agreed with the planning authority and that this plan

would include details of hours of works, construction access and traffic management measures and on site compound and storage.

- 7.6.6. The appeal site is characterised by a number of **mature trees** that are principally located in the western half of the site including to the north of the avenue leading to the school buildings from the vehicular entrances from Stonepark Abbey and Convent Lane. The application is accompanied by an arborist report which records a total of 53 no. existing trees on the site, of which 36 are rated as high or good quality. Of note are a number of mature yew trees and cyprus trees that adjoin the avenue leading to the school and which are stated to have outgrown their setting. A total of 13 no. trees are proposed for removal following the works and, based on the report of the arborist appended to the Planning Report, the majority of these are trees that are either in poor condition or trees that have outgrown their existing location. On the basis of the information presented, I do not consider that the proposed development would have a significant negative impact on mature trees or on the overall character of the site.
- 7.6.7. With regard to **ecology**, the bulk of the existing site comprises hard surfaced areas of buildings and play areas and soft landscaped areas are located on the western side of the site to the north of the avenue and to the north east of the existing school buildings. These areas are already modified habitats and the primary changes proposed are the addition of ballcourts in these two areas. The nature of the existing site is such that it is not of significant ecological value. The presence of a number of derelict and semi derelict structures on the site, notably the Lourdes Nursing Home and Teresa Ball House and the proposed demolition of the existing school buildings with the exception of the granite building gives rise to the potential for there to be bat roosts in these structures. No bat survey has been submitted with the application, and in the event of a grant of permission it is recommended that such a survey would be submitted for the written agreement of the Planning Authority.
- 7.6.8. The nature of the proposed development is such that no development contribution requirement is applicable as per the terms of the South Dublin County Development Contribution Scheme.

## **7.7. Environmental Impact Assessment**

- 7.7.1. The form of development proposed comes within the scope of class 10(b)(iv) of part 2 of the Fifth Schedule which relates to:

*(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere.*

The proposed development is therefore of a class for the purposes of EIA.

- 7.7.2. The following is an assessment of the requirement for EIA under the headings as set out in the Seventh Schedule of the Planning and Development Regulations, 2001 (as amended).

### ***Characteristics of Proposed Development***

- 7.7.3. The scale of development proposed is not particularly significant in the context of urban development at c.3,833 sq. metres. Similarly, the size of the site is 1.36 ha. and very significantly lower than the 10 ha. threshold set out in class (10)(b)(iv).
- 7.7.4. The form of development as an educational facility adjoins an existing such use to the north in the form of the Gael Cholaiste an Phiarsaigh. The cumulative extent of the appeal site and the area taken up by this adjoining use is significantly below the 10 ha. threshold. No other development which required EIA, and which could have potentially significant cumulative impacts with the current proposal is located in close proximity to the appeal site. The potential for significant traffic impacts to arise has been raised as part of the appeal submissions and is addressed in the assessment. Traffic and the potential for cumulative traffic impacts is not considered to be a basis for the requirement for EIA.
- 7.7.5. The proposed development does involve significant demolitions of existing structures on site however it is not considered that the structures to be demolished are likely to give rise to likely significant environmental impacts such as would lead to a requirement for sub threshold EIA.

- 7.7.6. The nature of the proposed development is such that it would not give rise to the significant use of natural resources and it would not lead to the production of significant wastes, pollution, or other nuisances. The form of development proposed, and the location of the site is such that there is not considered to be any significant risk of major accidents or disasters arising or significant risks to human health.

#### ***Location of Proposed Development***

- 7.7.7. The site is located within an existing urban area and on a site that has a significant history in educational use, and which adjoins a wider educational / institutional campus in the form of Loreto Abbey. The site is not considered to be of particular environmental sensitivity or to impact on a land use of particular scarcity.
- 7.7.8. The development would not impact either directly or indirectly on any wetlands, riparian areas, river mouths, coastal zones, or marine environment. Similarly, it would not impact on any mountain and forest areas, nature reserves and parks or areas classified or protected under legislation, including Natura 2000 areas designated pursuant to the Habitats Directive and the Birds Directive.
- 7.7.9. The development would have potential impacts in terms of traffic on surrounding residential areas, but these potential impacts are not such as to have significant impacts on densely populated areas. Similarly, while the site adjoins protected structures within Loreto Abbey and adjoins a historical educational / institutional campus, the impact of the development on these features is not considered likely to be significant.

#### ***Types and Characteristics of Potential Impacts***

- 7.7.10. Any environmental impacts generated by the proposed development, including potential traffic impacts, are considered to be such as to be limited in spatial extent. No transboundary impacts of any form would arise and the intensity, duration, frequency, and complexity of any such impacts are not such as to warrant EIA.

## **Conclusion**

- 7.7.11. Having regard to the provisions of Article 109(2) of the planning and Development regulations, 2001 (as amended), on the basis of the above, it is considered that 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.

## **7.8. Appropriate Assessment - Screening**

### ***Introduction***

- 7.8.1. The application was not accompanied by a Screening for Appropriate Assessment. The assessment undertaken by the Planning Authority states that the *'having regard to the nature, scale and location of the proposed development and its distance from any Natura 2000 site, it is not considered that the proposed development would be likely to have a significant effect on any Natura 2000 site either individually or in combination with other plans or projects and therefore a Stage 2 Appropriate Assessment is not required'*.
- 7.8.2. As no screening assessment has been submitted with the application, this screening assessment has been carried out de novo.
- 7.8.3. The project is not directly connected with or necessary for the management of any European site.

### ***Proposed Development***

- 7.8.4. A description of the proposed development is provided in the planning application report submitted with the application and is summarised at section 2.0 of this report. The main elements comprise the demolition of the existing three storey Lourdes Nursing Home located at the western end of the site and the existing school / classroom buildings with the exception of the granite building and the construction of a new part single, part two and part three storey school building. The proposed development involves the refurbishment of the granite building and its continued use for educational space. The development also provides for the refurbishment of Teresa Ball House on the western side of the site which is located within the

complex of protected structures and the use of this building as classroom and ancillary educational accommodation. A new set down area with access from Convent lane is proposed at the western end of the site and an internal set down area proposed with access from Stonepark Abbey and exit onto either Stonepark Abbey or onto Convent Lane.

- 7.8.5. The floor area of the buildings proposed to be demolished is stated to be approximately 4,000 sq. metres and the floor area of new buildings is stated to be 3,833 sq. metres. The floor area of the buildings to be retained and refurbished on the site (Teresa Ball House and Granite Buildings) are stated to have a combined floor area of 933 sq. metres.
- 7.8.6. The size of the school is proposed to increase from the current c.530 no. students to c.700 students and the staff numbers to increase from 27 no. to 33 no. (as per the Traffic and Transportation assessment submitted with the application.
- 7.8.7. No submissions or observations directly relating to appropriate assessment have been submitted to the Board.

### ***European Sites***

- 7.8.8. The appeal site is not located within or close to any European sites. A summary of the European sites located within 15km of the appeal site are as follows:
- South Dublin Bay SAC located c.7km to the north east of the appeal site at the closest point.
  - South Dublin Bay and River Tolka Estuary SPA located c.7km to the north east of the appeal site at the closest point.
  - North Bull Island SPA located c.11km to the north east of the appeal site at the closest point.
  - Glennasmole Valley SPA located c.8km to the south of the appeal site at the closest point.
  - Wicklow Mountains SAC located c.8km to the south of the appeal site at the closest point.

- Wicklow Mountains SPA located c.8km to the south of the appeal site at the closest point.

- 7.8.9. The nature of the proposed development is such that there are no emissions or discharges from the operational phase of the development that would have any potential direct effects on the conservation objectives of any European sites. The development would result in some increased level of discharge to surface and foul sewers as a result of the increased population on site. This level of increase is however relatively limited given the increase in pupil numbers from 510 to 700 no. and given the nature of the use as educational rather than residential the increased foul drainage loading would be limited.
- 7.8.10. During the construction phase of the project there is potential for construction related spillages and discharges. Given the urban location of the site and the location relative to European sites there are no viable pathways between the appeal site and any European sites during the construction phase.
- 7.8.11. In conclusion, given the nature of the proposed development, the increased intensity of development proposed on the site and the location relative to European sites and the absence of any clear pathways or connections between the appeal site and any of the above European sites it is not considered that any of the above sites need to be considered further in this screening assessment.

### ***Mitigation Measures***

- 7.8.12. No measures designed or intended to avoid or reduce any harmful effects of the project on a European site have been relied upon in this screening exercise.

### ***Screening Determination***

- 7.8.13. The proposed development was considered in light of the requirements of Section 177U of the Planning and Development Act, 2000 as amended. Having carried out screening for appropriate assessment of the project it has been concluded that the project either individually or in combination with other plans or projects would not be likely to give rise to significant effects on any European sites in view of the

conservation objectives of the relevant sites and appropriate assessment is not therefore required.

## 8.0 Recommendation

- 8.1. Having regard to the above it is recommended that permission be granted based on the following reasons and considerations and subject to the attached conditions.

## 9.0 Reasons and Considerations

Having regard to the residential zoning objective for the area and the pattern of development in the area, it is considered that, subject to compliance with conditions below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not have a significant impact on the built environment or the character or setting of protected structures and would be acceptable in terms of traffic safety and convenience. 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 plans and particulars submitted on the 5<sup>th</sup> day of March 2021 except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

**Reason:** In the interest of clarity.



2. The proposed development shall be amended as follows:
  - (a) the substation be relocated within the layout such that it is a minimum of 20 metres from the boundary with any residential property.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of residential amenity.

3. The temporary pre-fabricated classroom accommodation proposed to be provided during the construction phase of the project shall be decommissioned and removed from the site within six months of the first occupation of the new classroom accommodation unless its retention is permitted by a separate grant of permission.

**Reason:** In the interests of clarity and the protection of residential and visual amenity.

4. 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. Prior to the commencement of development, the developer shall submit details for the written agreement of the planning authority demonstrating an increase of 17 percent in the surface water attenuation capacity provided on the site.

**Reason:** In the interest of public health.

5. Prior to commencement of development, the developer shall enter into water and/or waste water connection agreements with Irish Water.

**Reason:** In the interest of public health.

6. The internal road and footpath network serving the proposed development including vehicle and cycle parking areas and footpaths shall comply with the detailed standards of the planning authority for such road works.

**Reason:** In the interest of amenity and of traffic and pedestrian safety.

7. Within a maximum of 6 months of the commissioning and first occupation of the development, a 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 and students in the development and to reduce and regulate the extent of staff parking.

**Reason:** In the interest of encouraging the use of sustainable modes of transport.

8. Prior to commencement of development, the developer shall provide for the following:-

- (a) The appointment of a conservation expert, who shall manage, monitor, and implement works on the site which relate to the protected structure (Loreto Abbey RPS Ref. 253) and ensure adequate protection of the historic fabric during those works.
- (b) All works shall be carried out in accordance with the details specified in the Conservation Report received by the Planning authority on 7<sup>th</sup> November, 2020.
- (c) The submission of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail, and skirting boards.
- (d) All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural

Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage, and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

**Reason:** To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

9. Prior to the commencement of development, the developer shall submit a bat survey of the site and immediately adjoining lands. The scope and timing of this survey shall be as agreed with the Planning Authority in advance and the results and recommendations submitted to the Planning Authority for agreement prior to the commencement of development. In the event that bats are detected in structures on site no development shall take place until such time as any necessary licences / derogations have been obtained from the National Parks and Wildlife Service.

**Reason:** In the interest of protection of bat species in the development.

10. A comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development.

This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development.
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings.
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating.

(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials, and finishes.

(e) details of natural SuDS features,

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

**Reason:** In the interest of visual amenity.

11. A tree survey shall be carried out by an arborist or landscape architect of all on-site trees which shall provide the baseline information for the landscaping scheme required by condition number 9 of this order. This tree survey, which shall be submitted to the planning authority prior to commencement of development, shall include the following:

(a) A plan to scale of not less than [1:500] showing –

(i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter exceeding 75 centimetres, when measured at a point 1.5 metres above ground level,

(ii) the crown spread of each tree, and

(iii) trees proposed for retention

(b) A separate document detailing the following information in respect of each numbered tree –

(i) common and scientific name of the species and variety

(ii) diameter, measured in accordance with paragraph (a) above

(iii) approximate height

(iv) crown spread

(v) condition, including a general statement of health and stability

(vi) whether it is to be preserved or felled

(vii) in respect of each tree proposed to be felled, the reason for felling

(c) Details of any proposed alterations in existing ground levels throughout the site and of the position of any proposed excavation within the crown spread of any retained tree

(d) Details of the measures proposed for the protection from damage before and during the course of construction of each retained tree.

In this condition, “retained tree” means an existing tree which it is proposed to preserve under paragraph (b)(vi) above.

**Reason:** To facilitate the identification and subsequent protection of existing trees on the site, which represent an important amenity and should be substantially maintained.

12. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (a) notify the planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

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

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

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

13. A plan containing details for the management of waste and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

14. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 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.

15. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

- (a) Location of the site and materials compound(s) including area(s identified for the storage of construction refuse.
- (b) Location of areas for construction site offices and staff facilities.

(c) Details of on-site car parking facilities for site workers during the course of construction.

(d) 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.

(e) Measures to obviate queuing of construction traffic on the adjoining road network.

(f) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.

(g) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health, and safety.

16. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.

**Reason:** In the interest of sustainable waste management.

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Stephen Kay  
Planning Inspector

30<sup>th</sup> September, 2021

