



An  
Bord  
Pleanála

## Inspector's Report

### ABP-311089-21

#### Development

Demolition of school & outbuildings.  
Construction of 2-storey 37 classroom building. Works to school grounds include a half size GAA pitch, 2 MUGA pitches, a basketball court, play and horticultural areas, a sensory garden & associated landscaping.

#### Location

Presentation Secondary School,  
Outrath Road, Loughboy, Kilkenny.

#### Planning Authority

Kilkenny County Council

#### Planning Authority Reg. Ref.

21245

#### Applicant(s)

Board of Management Presentation  
Secondary School

#### Type of Application

Permission

#### Planning Authority Decision

Grant Permission

#### Type of Appeal

Third Party

#### Appellant(s)

1. Brian Lawlor
2. Joe and Breda Hennessy

#### Observer(s)

John and Monica Maloney

**Date of Site Inspection**

4<sup>th</sup> February 2022

**Inspector**

Emer Doyle

## **1.0 Site Location and Description**

- 1.1. The school site is located off the Outrath Road in the Loughboy neighbourhood of Kilkenny city. The site has a stated area of 3.07ha. The site has an irregular shape and the only road frontage is the access off the Outrath Road.
- 1.2. Existing development on the site comprises of the main original building dating to c. 1985 with 2 no. later extensions. Additional development on the site comprises of a number of prefabricated classrooms, a number of storage containers, a separate purpose built stand alone canteen building, together with a basketball court, a full sized GAA pitch, and a large car parking area.
- 1.3. Adjoining uses comprise of Gaelscoil Osrai, a number of residential housing developments accessed from the Outrath Road, and one off dwellings accessed from the Waterford Road. There is a right of way for pedestrian access through the site to a dwelling on the Waterford Road. A Lidl supermarket and a commercial development comprising of a number of retail units are located in close proximity to the site.

## **2.0 Proposed Development**

- 2.1. Permission is sought to demolish the existing secondary school at this location and to construct a new 2 storey, 37 classroom building with a total floor area of 10,276m<sup>2</sup> and incorporating a general purpose hall, a PE hall, a special needs unit, library, staffrooms and all ancillary accommodation.
- 2.2. The development will facilitate an increase in the student population from 750 to approximately 1,000.
- 2.3. Works to the new school grounds will consist of the provision of a half size GAA pitch with ballstop nets, two MUGA pitches, a basketball court, play and horticultural area, a sensory garden and associated hard and soft landscaping throughout.
- 2.4. The development will also include modifications to the existing vehicular and pedestrian access arrangements to incorporate new entrance gates and internal access roadway and footpath, an internal drop-off area for cars and buses and the provision of 93 no. car parking spaces, 122 no. bicycle parking spaces for students and 28 no. bicycle spaces for visitors.

2.5. The application was accompanied by the following documentation:

- Planning Statement
- Architectural Design Statement
- Engineering Planning Report
- Landscaping Design Rationale Report
- Outline Construction and Demolition Waste Management Plan
- Outline Construction Environmental Plan
- Traffic and Transport Assessment
- School Mobility Management Plan
- Ecological Impact Assessment
- Appropriate Assessment Screening
- Archaeological and Cultural Heritage Assessment
- Arboricultural Impact Assessment, Method Statement and Tree Impact and Protection Plan

2.6. Further Information was submitted to the Planning Authority on the 28<sup>th</sup> of June, 2021. The information included the following:

- Justification for the demolition of existing school and the change from a full GAA pitch to a half GAA pitch.
- 3D views of the proposed development from various points on the Waterford Road and from the Lidl site.
- Noise Impact Statement
- Landscaping measures to address potential overlooking.
- Further details in relation to site infiltration tests together with updated attenuation calculations.
- Relocation of bin storage area.
- Road Safety Audit together with revised proposals in relation to pedestrian and traffic safety.

- Details of public lighting.
- Details of the strategy for the management of traffic during the construction phase.

### 3.0 Planning Authority Decision

#### 3.1. Decision

- 3.1.1. Permission granted subject to 13 No. Conditions. Condition 12 required that the site required pre-development archaeological testing. Condition 13 required that the 1.8m noise barrier with the houses on the Waterford Road, was inserted prior to the commencement of works on the site as recommended in Section 4 of the Noise Impact Assessment. All other conditions are of a standard nature for the type of development proposed.

#### 3.2. Planning Authority Reports

##### 3.2.1. Planning Reports

- The first report outlined a number of areas of concern and required further information. The second report considered that all the outstanding issues had been addressed and recommended permission subject to conditions.

##### 3.2.2. Other Technical Reports

**Environment Department:** The first report required Further Information. The second report had no objection subject to conditions.

**Roads Design:** The first report required Further Information. The second report had no objection subject to conditions.

#### 3.3. Prescribed Bodies

- 3.3.1. No reports.

### **3.4. Third Party Observations**

- 3.4.1. Three observations were submitted to the Planning Authority. The issues raised are similar to those raised in the two third party appeals and the observation submitted to the Board.

## **4.0 Planning History**

### **PA Reg. Ref. 21/444**

Permission granted for the erection of temporary school classrooms.

### **PA Reg. Ref. 18/813**

Permission granted for the erection of temporary school classrooms.

### **PA Reg. Ref. 15/369**

Permission granted for the erection of temporary school classrooms.

### **PA Reg. Ref. 10/362**

Permission granted for the construction of a new single storey canteen building.

### **PA Reg. Ref. 94/391**

Permission granted to extend teaching accommodation.

## **5.0 Policy Context**

### **5.1. Development Plan**

#### **5.1.1. Kilkenny City and Environs Development Plan 2021- 2027**

Site is zoned for 'Community Facilities' where the objective is to protect, provide and improve community facilities. Education is identified as a permissible use in this zoning.

Section 6.13.2 sets out policy for the provision of primary and secondary schools.

Section 6.13.2.1 encourages the dual use of schools for community use outside of school hours and requires new schools to be designed to facilitate multi-use of the building.

**Objective 6M:** To identify and facilitate the provision of suitable sites for new educational facilities as the need arises throughout the City and County.

## **5.2. Natural Heritage Designations**

- 5.2.1. The nearest Natura 2000 sites are the River Barrow and River Nore SAC and the River Nore SPA located c. 1.1km to the east of the site.

## **5.3. EIA Screening**

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

## **6.0 The Appeal**

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

- 6.1.1. Two third party appeals were submitted to the Board. The grounds of appeal can be summarised as follows:
- Consideration should be given to upgrading the existing school buildings.
  - 'Rodini' property is only 11m from boundary. Planning Report fails to recognise this together with the level of the school building higher than the rear garden of Rodini.
  - Concerns regarding noise and pollution from school road.
  - Concerns regarding massing and design.
  - Concerns regarding impact of daylight and sunlight.

- Insufficient detail provided in terms of visual assessment.
- Concern regarding carbon footprint and environmental sustainability.
- Concern regarding loss of GAA pitch.
- Concern regarding overlooking.
- Concern regarding inadequate boundary treatment.

## 6.2. **Applicant Response**

6.2.1. The first party response can be summarised as follows:

- It is more cost effective and practical to build a new school rather than refurbish and extend the existing school.
- The potential for overlooking has been addressed in the section drawing submitted at Further Information stage.
- A study of daylight and sunlight submitted with the appeal indicates that no overshadowing occurs.
- A noise study submitted at Further Information stage recommended a noise barrier on the Waterford Road and this has been included in revised plans.
- Visual impact included an assessment of adjoining housing estates and views from the Waterford Road which revealed limited visual impact. A further analysis of views from the Lawlor property is submitted with the appeal documentation.
- In terms of the potential for traffic and safety impacts, the applicants prepared a mobility management study which will be updated and developed in accordance with Condition no. 10.

## 6.3. **Planning Authority Response**

- The response of the Planning Authority advised that they had no further comment to make.



#### **6.4. Observations**

One observation has been submitted which can be summarised as follows:

- The footprint of our house at 12, Hazelbrook, Parcnagowan is incorrect on the plans submitted as it does not take account of the recent extension to our house that includes a sensory room for our child with profound special needs and autism.
- Concern regarding impact on daughter's quality of life during construction and thereafter.
- Construction should be limited to Monday to Friday 8:00 to 5:00 with no weekend or evening work.
- The Council has not requested any sound barriers on the Hazlebrook side of the project but requested them on the Waterford Road side of the project.
- Concerns regarding overlooking and overshadowing.
- There should be a sound study to reflect the impact on local residents during construction stage.
- Concern regarding dust and vibration during construction stage.

#### **6.5. Further Responses**

6.5.1. Three responses have been received which can be summarised as follows:

- The issues raised in the submission from John and Monica Moloney are very similar to the initial observation received.
- The submission from Joe and Breda Hennessy considers that the response to the appeal does not directly address their concerns. It notes that both the Noise Impact Study and the Daylight and Sunlight submitted with the appeal response analysis addresses the impact on the dwelling of Brian Lawlor and not their dwelling.
- It is considered that factual profession reports should have been submitted to the Board in terms of the justification for the building of a new school rather than extending the existing school.

- The loss of the full sized GAA pitch is enough to preclude a school being built at this location. The Lawlors exchanged land with the school to allow the full sized pitch to be developed only a few short years ago.
- A 3m high wall is requested on the boundary between the Hennessy property and the school.
- It is not physically possible to construct a 1.8m noise barrier as there is a gate which represents c. 10% of the boundary between the school and the Hennessy property.
- It is considered that cost comparison in terms of the justification for a new build at this location is not a planning matter.
- The photomontage submitted in the appeal response was taken in the summer months. It is submitted that a winter view would be much more intrusive.

## 7.0 **Assessment**

7.1. The issues of the subject appeal can be dealt with under the following headings:

- Justification for building new school at this location
- Impact on Residential Amenities
- Impact on Visual Amenities
- Construction Impacts
- Other Matters
- Appropriate Assessment

### 7.2. **Justification for building new school at this location**

7.2.1. A number of concerns were raised in the appeal in relation to the demolition of the existing school and the new build strategy proposed rather than the refurbishment and extension of the existing school. Concerns are raised that the existing school

was built in 1985 and it is difficult to comprehend how it could be more cost effective to knock a relatively new school rather than refurbish the existing one. Concerns are also raised in relation to the environmental consequences and carbon footprint associated with rebuilding rather than re-using and extending. A further concern related to the location of the new build on a full size GAA pitch and the replacement of same with a half sized pitch in order to facilitate the new building.

7.2.2. These matters were addressed by the applicant in the appeal response and in the response to the further information dated the 28<sup>th</sup> day of June 2021. The main points made can be summed up as follows: The applicants, in conjunction and consultation with the Department of Education and in line with Department of Education policy, considered a series of different options to meet the project brief. The project's Brief Formulation Report set out a requirement to expand the school from current numbers of 750 pupils to 1,000 pupils. A number of the options considered included the refurbishment and extension of the existing school. A total of 4 no. options were brought forward for full assessment. All options were assessed in terms of costs, schedules of accommodation and other relevant criteria to define a preferred option. In terms of cost alone, the refurbishment options presented figures 15% above the new build options. It was found that significant portions of the existing school would need to be demolished due to current poor conditions, but also to allow for sizeable extensions to meet the accommodation needs. It was found a maximum of 29% of the overall school development could be made from the retained building. The elements identified for possible retention would require significant upgrade work, yet would remain at a lower energy rating than the new build elements. Taking carbon loadings and ongoing carbon footprints, it was found that a new build option was preferable with a lower carbon load/ footprint over the longer term. In addition, the programme for delivery of a new build has been estimated to have a 12 month reduced delivery time.

7.2.3. The appeal submitted by Joe and Breda Hennessy states that Presentation Secondary School in Kilkenny is widely renowned as being one of the most successful camogie nurseries in the country. It is the only dedicated girls' school with a full size camogie pitch in Kilkenny. Some years ago, 'the then principal and members of the school's Board of Management approached the family and requested that we give them some of our back garden to allow them to develop a full

sized pitch. They reluctantly agreed to the land swap in order to facilitate the school and a new full sized GAA pitch was constructed in recent years.' It is stated that 'anyone who knows anything about camogie or Gaelic football knows that it is very difficult, if not impossible to prepare a team, do coaching or encourage student participation on half a pitch. Games cannot be played on a half sized pitch, meaning the movement of students off site for all games...' In this case it is stated that 'a credible alternative exists and it is difficult to credit that something, once considered so important and so cherished, is being unnecessarily taken away.'

- 7.2.4. The planning report accepts that 'the full sized GAA pitch was considered in the overall design however due to design, cost, accommodation requirements and economics, it had to be omitted from the site to accommodate the presented design. The presented design still incorporates sports facilities and open space around the school that is deemed acceptable for the well being of pupils and staff alike.'
- 7.2.5. The response to the Further Information Request states that in order to accommodate the additional pupils set out in the design brief, a 6 storey extension would potentially be required onto the existing school. This was ruled out on a variety of grounds including the potential for impact on the surrounding area.
- 7.2.6. In terms of the justification for the proposed development, I am satisfied that the applicant has examined a wide range of options to meet the brief to expand the school to cater for 1,000 pupils in a thorough and rigorous fashion as required by the Department of Education Guidance on new school projects. I consider that the loss of a full sized GAA pitch, which unfortunately was only developed in recent years, will be a huge loss to the school and the community. Nevertheless, the site is located in an urban area where lands are limited and I am satisfied that adequate provision has been made for pupils in terms of sporting facilities including the existing basketball courts, a multi-use games area suitable for many different activities and a half sized GAA pitch. As such, on balance, I consider that the applicants have adequately addressed the issues raised in relation to justification of the proposed development.

### **7.3. Impact on Residential Amenities**

- 7.3.1. The site is located in an urban area and is closely bounded by residential development. These generally comprise low density housing with a mixture of two storey, dormer and single storey dwellings. There is an existing educational use on the site and the proposal involves the demolition of substantial elements of the existing school and the construction of a new school building on another part of the school grounds.
- 7.3.2. The main concerns raised relate to overlooking, overshadowing, loss of light, and overbearing impacts. I have examined the plans submitted with the application together with the details submitted in response to the Further Information Request and the appeal response. The details submitted in the Further Information Response included Site Section AA which indicates a very limited line of sight from the first floor technology room to the dwellings on the Waterford Road. The appeal response included a daylight analysis on the property of the Lawlor family which is the closer of the two appeals on the Waterford Road. It was concluded that the introduction of the new property does not compromise the criteria identified in BR209 and as such there is no sunlighting issues affecting the dwelling.
- 7.3.3. I note that both the appellants properties on the Waterford Road are located significant distances from the proposed building and I do not consider that there would be adverse impacts from overlooking, overshadowing, loss of light or overbearing impacts. The property of the observers at 12 Hazelbrook, Parnagowan is located at an angle to the site so that the side elevation is directly adjacent to the site and there is a distance of c. 18m between the proposed building and the side elevation of this dwelling. As such, I do not consider that significant impacts would arise which would unduly impact on residential amenity.
- 7.3.4. I note that landscaping is proposed on the site boundaries in order to mitigate undue impacts on the residential amenities of adjacent properties. An acoustic barrier 1.8m in height proposed for a distance of 140m along the Waterford Road boundary is also proposed which would further mitigate potential impacts.
- 7.3.5. Whilst there will be a change of outlook of properties backing onto the site, having regard to the separation distances proposed and in conjunction with landscaping proposals and acoustic barrier proposed, I do not consider that the proposed

development would have undue impacts on residential amenities. The operational hours of the school will also reduce potential impacts in this regard.

#### **7.4. Impact on Visual Amenities**

- 7.4.1. The main concerns raised regarding impacts on visual amenities relate to the height, scale, and bulk of the school building.
- 7.4.2. Photomontages to demonstrate the visual impact were submitted with the application from the adjoining housing estate. Further details in relation to visual impact from the Waterford Road were submitted in the Further Information Response. The response to the appeal contains images of both the existing view and the proposed view from the rear garden of the Lawlor property.
- 7.4.3. The design of the school generally reflects the form of school construction nationally in recent years and is considered to be attractive and of good quality. The height of the school is predominantly two storey with a limited number of higher sections including a small circular meditation room and a storage area for water tanks in the attic.
- 7.4.4. I have examined the images submitted with the application and appeal and undertaken a site inspection. Whilst there will be a significant change in the use of the site from GAA pitch on existing school grounds to a large school building, I do not consider that the proposed development will give rise to negative impacts on the visual amenities of the area. This is an urban site in an area which has been significantly developed over the last 10-20 years and the height and form of development are not considered to be inappropriate or detrimental to the character of the area.

#### **7.5. Construction Impacts**

- 7.5.1. The main concerns raised regarding construction impacts are in the observation submitted by John and Monica Maloney. It is stated that 'the footprint of our house at 12, Hazelbrook, is incorrect on the plans submitted. It does not take into account the recent extension to our house that includes a sensory room for our child who has profound special needs and autism.'

- 7.5.2. Concerns are raised in relation to noise, dust, vibration, and hours of work. It is stated that the negative impact on noise from the construction site and ongoing noise will impact on their daughter's quality of life during construction and thereafter. It is considered that there should be an acoustic barrier on the Hazelbrook side as requested by the Planning Authority on the Waterford side. It is requested that hours of construction are limited to Monday to Friday from 8:00 to 5:00 and there is no weekend or evening work. It is requested that there should be a specific point of contact for residents during the construction period.
- 7.5.3. An outline construction management environmental management plan was submitted with the application and it is indicated that site working hours will be determined at tender stage. However it is envisaged that the standard times for construction will apply as follows: Monday to Friday: 07:00 to 19:00 and Saturdays 08:00 to 14:00. It is stated that should the contractor wish to carry out certain operations outside these hours i.e. Sunday or evening hours during long Summer days etc. such occurrences will be kept to a minimum and take place over a short timeframe.
- 7.5.4. I inspected the location of the observer's dwelling on the site inspection and noted that an extension constructed to the rear was not indicated on the application drawings submitted. I estimate that the distance between the proposed school building and the appellant's property is c. 18m.
- 7.5.5. I consider that construction hours should be in line with standard construction hours generally conditioned by the Board for similar development of between the hours of 0800 to 1800 Mondays to Fridays inclusive, between 0800 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times should only be permitted in limited and exceptional circumstances with the prior approval of the Planning Authority and written notification to local residents. I note that the Planning Authority had conditioned the same weekday working hours as above and that Saturday hours were from 0800 to 1500.
- 7.5.6. I would have concerns that notwithstanding the impacts on local residents including a child with profound special needs, to exclude limited hours on a Saturday or very occasional work outside of normal working hours would impact negatively on the overall duration of the project and would thereby have additional negative impacts on

residential amenities and the needs of the school population and their stated accommodation needs. It is my view that Saturday working hours should be reduced from the PA Condition no. 7 of 0800 to 1500 to 0800 to 1300 in order to reduce negative impacts on residences in close proximity to the site.

- 7.5.7. I note that the Council has conditioned that an acoustic barrier was necessary on the Waterford boundary but not on the boundary with the Parknagowan housing development. The reason for this is that the noise report submitted with the application identified that the most likely noise source was from a car parking area which is located close to the rear of dwellings on the Waterford Road but at a significant remove from dwellings in the Parknagowan housing estate. I accept that construction noise is likely to have an impact on adjoining residences but this impact will be short term and temporary in nature and can be managed through the implementation of a construction management plan in the normal manner. I consider that the impacts of dust and vibration can also be managed through the implementation of a construction management plan in the normal manner.
- 7.5.8. This is a constrained urban site. The proposed development is not exceptional in terms of scale or design and whilst construction activities are likely to give rise to some external impact, these are short-term in nature. I do not consider that such impacts are unacceptable or that there would be undue impacts on adjoining residential amenities.

## **7.6. Other Matters**

### Noise

- 7.6.1. Condition 13 of the Planning Authority required a 1.8m noise barrier with the houses on the Waterford Road as recommended in Section 4 of the Noise Impact Assessment. The response to the appeal by Joe and Breda Hennessy states that 'it is physically impossible for the proposed development to erect a continuous 1.8m high noise barrier along the entire length of the boundary between our property and the school as we have an access gateway on the boundary with a right of way through the school grounds.' A photograph of the access gate is attached to the response. It is suggested that the writer of the Noise Report 'has not been to the site



or simply doesn't understand the site for which he has submitted a report for supposed vouching the credential's of the applicant's planning permission'.

- 7.6.2. I note that this access is illustrated on the application drawings and it is clear to me that the applicant's were aware of it. However, it is not mentioned or detailed in any manner in the Noise Impact Assessment submitted to the Planning Authority dated 28<sup>th</sup> of June 2021. The Noise Impact Assessment focuses solely on the proposed car park as the source of noise. The most sensitive locations in terms of the impacts of noise were 7 No. buildings on the Waterford Road closest to the proposed car park. Section 3.3 identified that a reduction in the noise level from the car park could be achieved by constructing a solid barrier a minimum of 1.8m high along this boundary. In both instances, with and without the proposed solid barrier, the calculated car park sound levels are below the WHO threshold to 'protect the majority of people from being seriously annoyed.' It was recommended in Section 3.5 that the solid timber barrier would have no gaps or openings with a total length of 140m.
- 7.6.3. In this instance, noise is identified as being below the threshold of 55dB  $L_{Aeq}$  whether the barrier is constructed or not with peak occupancy hours identified for 2 hours per day 0815-0915 and 1630-1730. I consider whilst it may be possible to construct a flexible noise barrier to be attached to the gate, this gate is in third party ownership and it would not be appropriate to attach a condition in this regard. I am satisfied that having regard to the limited use of the car park and the construction of the noise barrier as proposed, together with the results of the noise assessment both with and without the barrier, the impact of noise would not unduly detract from residential amenities at this location.

#### Boundary Treatment

- 7.6.4. I note that the original plans submitted with the application provided for a 1.2m high metal fence on a boundary identified as 'Boundary 1' which included the boundary of dwellings along the Waterford Road.
- 7.6.5. The Further Response submitted by Joe and Breda Hennessy expressed concerns regarding this boundary in relation to proposed planting and maintenance of same together with overlooking. They have requested a 3m high wall along this entire boundary.

- 7.6.6. I note that a 1.8m acoustic barrier is proposed along this location and I consider that this would be a considerable improvement on the 1.2m boundary fence originally proposed and would be adequate in terms of protecting residential amenities. I also note that additional landscaping was proposed in the Further Information Response and I consider that these amendments are appropriate and acceptable.

#### Archaeological Testing

- 7.6.7. I note that an Archaeological and Cultural Heritage Assessment was submitted with the application. There are no recorded sites within the lands comprising the subject site. The site is located c. 800m south of the Zone of Archaeological Potential for the historic town of Kilkenny. The report concluded no archaeological mitigation was recommended in the part of the site that was previously developed by the existing school but any future development should undergo a programme of pre-development archaeological testing to be undertaken by a suitably qualified archaeologist in areas where extensive sub-surface excavation works are required. Condition 12 of the Planning Authority recommended pre-development archaeological testing and I recommend that the Board include a similar condition.

#### **7.7. Appropriate Assessment**

- 7.7.1. The application was accompanied by an appropriate assessment screening report. The Screening Report identified 3 European sites within a potential zone of impact of 15kms. The report states that there is no connectivity or pathway between the application site and any European site. The report therefore concludes that there are no potential significant effects on any European site.
- 7.7.2. Having regard to the material submitted with the application and appeal, the AA screening report, the absence of any surface water bodies within the application site, the absence of connectivity between the application site and any European site, the separation distances between the application site and any European site, the nature and scale of any foreseeable emissions from the proposed development it is reasonable to conclude that the proposed development, individually or in combination with other plans or projects would not be likely to have a significant

effect on any European site, in view of the sites' Conservation Objectives, and a Stage 2 Appropriate Assessment (and submission of a NIS) is not therefore required.

## 8.0 Recommendation

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

## 9.0 Reasons and Considerations

Having regard to the provisions of the Kilkenny City and County Development Plan 2021-2027 and the established educational use on the site, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the residential or visual amenities of the area or of property in the vicinity, would be acceptable in terms of traffic safety and convenience and would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 10.0 Conditions

1.	<p>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 received by the planning authority on the 28th day of June, 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.</p> <p><b>Reason:</b> In the interests of clarity.</p>
2.	<p>Details including samples of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and</p>

	<p>agreed in writing with, the planning authority prior to commencement of development.</p> <p><b>Reason:</b> In the interest of visual amenity.</p>
3.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p><b>Reason:</b> In the interest of public health.</p>
4.	<p>Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.</p> <p><b>Reason:</b> In order to safeguard the residential amenities of property in the vicinity.</p>
5.	<p>The landscaping scheme shown on the Landscape Plan drawing number 940101, as submitted to the planning authority on the 31st day of March, 2021 shall be carried out within the first planting season following substantial completion of external construction works.</p> <p>In addition to the proposals in the submitted scheme, the following shall be carried out:</p> <p>The boundary identified as Boundary Type 1 shall be increased in height to a minimum of 1.8 metres between the site and properties on the Waterford Road.</p> <p>All planting shall be adequately protected from damage until established. Any plants which die, are removed or become seriously damaged or diseased, within a period of five years from the completion of the development, shall be replaced within the next planting season with others of similar size and species, unless otherwise agreed in writing with the planning authority.</p>

	<b>Reason:</b> In the interest of residential and visual amenity
6.	<p>The use of the school outside of school hours and outside term time shall be made available where it will be of benefit to the wider community, to details (including hours of operation) to be agreed in writing with the planning authority before the sports hall is opened for use.</p> <p><b>Reason:</b> To comply with the requirements of Section 6.13.2.1 (Dual Use of School Buildings) of the City and County Development Plan 2021-2027, and in the interests of the proper planning and sustainable development of the area.</p>
7.	<p>All temporary buildings / prefabricated structures shall be removed from the site within one month of the proposed development being completed and the new school buildings commencing operations, or in accordance with a timescale to be submitted to and agreed in writing the with planning authority.</p> <p><b>Reason:</b> In the interests of the proper planning and sustainable development of the area.</p>
8.	<p>The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including noise management measures and off-site disposal of construction/demolition waste.</p> <p><b>Reason:</b> In the interests of public safety and residential amenity.</p>
9.	<p>Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July, 2006.</p>

	<b>Reason:</b> In the interest of sustainable waste management.
10.	<p>The site shall undergo a programme of pre-development archaeological testing, undertaken by a suitably qualified archaeologist, in accordance with the mitigation measures outlined in Section 6 of the Archaeological and Cultural Heritage Assessment as submitted to the Planning Authority authority on the 31st day of March, 2021.</p> <p>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.</p> <p><b>Reason:</b> 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</p>
11.	<p>The 1.8m noise barrier along the boundary with the houses on the Waterford Road, as recommended in Section 4 of the Noise Impact Assessment shall be inserted prior to commencement of development on the site.</p> <p><b>Reason:</b> To protect the residential amenities of property in the vicinity of the site.</p>
12.	<p>The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the Scheme at the time of payment. Details of the</p>

	<p>application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to An Bord Pleanála to determine the proper application of the terms of the Scheme. Reason: It is a requirement of the Planning and Development Act 2000, as amended, that a condition requiring a contribution in accordance with the Development Contribution Scheme made under section 48 of the Act be applied to the permission</p>
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Emer Doyle  
Planning Inspector

14<sup>th</sup> March 2021