



An
Bord
Pleanála

Inspector's Report ABP311141-21

Development	Temporary post primary school.
Location	Oldcourt Road/Ballycullen Green, Firhouse, Dublin 24.
Planning Authority	South Dublin County Council.
Planning Authority Reg. Ref.	SD21A/0137.
Applicant(s)	Minister for Education and Skills
Type of Application	Permission
Planning Authority Decision	Grant permission
Type of Appeal	Third Party v Grant
Appellant(s)	Ballycullen Green Residents Association.
Observer(s)	None
Date of Site Inspection	22 nd January 2022
Inspector	Hugh Mannion.

Contents

1.0 Site Location and Description	3
2.0 Proposed Development	3
3.0 Planning Authority Decision	4
3.1. Decision	4
3.2. Planning Authority Reports	4
4.0 Planning History.....	4
5.0 Policy and Context.....	6
5.2. Development Plan.....	6
5.5. Natural Heritage Designations	6
5.6. EIA Screening	6
6.0 The Appeal	7
6.1. Grounds of Appeal	7
6.2. Applicant Response	8
6.3. Planning Authority Response	10
6.4. Observations	10
6.5. Further Responses.....	10
7.0 Assessment.....	10
8.0 Recommendation.....	17
9.0 Reasons and Considerations.....	17
10.0 Conditions	18

1.0 Site Location and Description

1.1. The site is irregularly shaped with a stated area of 0.86ha and is part of a larger landholding of 1.77ha in the ownership of the Minister for Education and Skills at Ballycullen Green and Oldcourt Road, Firhouse, Dublin 24. The site is in grass and the topography rises to the south. Along the northern edge there is a fenced landscaped buffer of green space between the application site and the houses in Ballycullen Green. This green area also has a small playground. The eastern boundary is defined by a hedge/line trees along the Oldcourt Road where the new vehicular access to the school is proposed. To the west and fenced off are the playing pitches the subject of ABP310337-21. The Oldcourt Road links Firhouse to the R115 and on to the Dublin/Wicklow mountains and Sally Gap. Ballycullen Green comprises about 91 two storey houses, there are apartment developments in the wider area especially long Hunters Road which in turn links to Ballycullen Road and the M50 to the east of the site.

2.0 Proposed Development

2.1. The proposed development comprises

- construction of a two storey post-primary school on a site of 0.86ha part of an overall landholding of 1.77ha for Firhouse Educate Together School.
- The school will have 10 classrooms and 3 specialist classrooms with ancillary pupil and teacher facilities.
- there will be internal vehicular drop-off area, internal circulation routes, 15 surface car parking spaces, bike parking, ball courts and play areas. Vehicular Access will be from Oldcourt Road.
- Associated works include pedestrian access, plant, piped services, ESB substation, attenuation tank, landscaping and boundary treatments, ramps, stairs, signage, changes in levels.

2.2. at Ballycullen Green and Oldcourt Road, Firhouse, Dublin 24.

3.0 Planning Authority Decision

3.1. Decision

The planning authority granted permission subject to conditions.

Condition 2 required submission of a landscaping plan.

Condition 6 required a redesigned pedestrian connection from the north-western section of the site.

Condition 7 required further details of the access to Oldcourt Road.

Condition 13 required the management of the construction process to minimise construction noise and hours of work.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The planner's report recommends a grant of permission as set out in the manager's order.

3.2.2. Other Technical Reports

3.2.3. The **Parks Department** recommended a grant of permission subject to additional planting.

3.2.4. **Irish Water** reported no objection.

3.2.5. **Roads Section** recommended additional information.

4.0 Planning History

4.1. ABP302414-18 referred to two adjoining sites to the east accessed from Ballycullen Road where permission was refused for housing development of 65 units on site A and outline permission on Site B, for construction of educational campus comprising primary school and post-primary school and playing pitch. The refusal reasons were:

1. The proposed housing development at Site A would materially conflict with a site-specific objective 'PS', in the current Development Plan for the area, to provide a 'Proposed Primary School' on the site. In particular, C9 Objective 3 seeks "To reserve sites for primary and post-primary schools provision in developing areas through approved Local Area Plans and Planning Schemes, in consultation with the Department of Education and Skills". The proposed development would conflict with this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.
2. The proposed housing development at Site A would materially conflict with the zoning objective for this site, as set out in the Ballycullen – Oldcourt Local Area Plan 2014 (as amended); wherein the site is identified as a 'Designated Primary School Site'. The proposed development would, therefore, be contrary to the proper planning and sustainable development of the area.
3. The location of the schools' campus, on a site which is peripheral to the residential areas which it is intended to serve; located uphill of the housing which it is to serve; not connected to the public transport network in the area; and not integrated with pedestrian and cycle networks in the area; would result in unsustainable reliance on travel by car, and would discourage those who may wish to access the development on foot or by bicycle, and would result in the creation of traffic hazard and obstruction of road users, in an area where there is only one proposed vehicular access to the site, on an unaligned section of Ballycullen Road, which is without public footpaths, public lighting and cycleways. The proposed development of Site B would be contrary to C9 Objective 6 of the Development Plan for the area, which states- "To ensure schools are located so as to promote walking and cycling...". The proposed development would conflict with this objective and would, therefore, be contrary to the proper planning and sustainable development of the area.

4.2. Under ABP310337-21 permission was granted at Ballycullen Green, Old Court Road, Dublin 24 on an adjoining site to the west of the application site for LED floodlighting system and all associated ducting, column foundations and bases and fixtures for a permitted sports pitch.

4.3. Under PL06S.247693 permission was granted for construction of a playing pitch, including associated site works, on a site area of 1.97 hectares, located on Oldcourt Lane, south of Oldcourt Road, Oldcourt, Ballycullen, Dublin. Access to pitches will be via an existing lane off Oldcourt.

5.0 Policy and Context

5.1. The **Provision of School and the Planning System A Code of Practice for Planning Authorities** (DoEHLG and Dept of Education and Science July 2008) comprises section 28 Guidance requires planning authorities to integrate planning for educational facilities into the plan making process.

5.2. Development Plan

5.3. The South Dublin County Development Plan 2016-2022 is the relevant development plan for the area. Zoning Objective 'RU' is 'to protect and improve rural amenity and to provide for the development of agriculture'. Education is open for consideration. Objective RES-N is 'To provide for new residential communities in accordance with approved area plans'. A primary school is indicated on the eastern end of the site adjoining Oldcourt Road.

5.4. The area is covered by the Ballycullen-Oldcourt LAP (May 2014 but including amendment 1 of May 2017). The LAP repeats the zoning objectives for the site set out in the CDP.

5.5. Natural Heritage Designations

No NHA or pNHA will be impacted by the proposed development.

5.6. EIA Screening

5.7. The proposed development 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. But as it has an area of less than 1ha it falls well below the threshold for requiring submission of an EIAR.

- 5.8. Where the potential for the requirement of a EIAR arises in the case of a subthreshold development it is necessary to screen for EIA in accordance with provisions of Schedule 7 of the Planning and Development Regulations, 2001 (as amended). These are: the Characteristics of Proposed Development, Location of Proposed Development and Types and Characteristics of Potential Impacts.
- 5.9. **Characteristics of Proposed Development** - the proposed development has a site of 0.86ha which is well below the threshold of 10ha in a built-up area. There are no major demolition works proposed, no major consumption of natural resources, little foreseeable waste arising and no pollution or nuisance impacts. Additionally, there is no risk of industrial accidents. Accordingly, I conclude that the characteristics of the proposed development are not such as to trigger the requirement for submission of an EIAR.
- 5.10. **Location of Proposed Development** – The proposed development is not located in an environmentally sensitive area, there are no designated sites within or close to the application site in relation to which any impacts could arise and no landscape of cultural, archaeological or historical significance which will be impacted upon. Accordingly, I conclude that the location of the proposed development is not such as to trigger the requirement for submission of an EIAR.
- 5.11. **Types and Characteristics of Potential Impacts** – the proposed development will not give rise to impacts over a wide geographical area, have any transfrontier impact or give rise to large or complex impacts. Additionally, as a temporary school the duration of any impact is limited and reversible. Accordingly, I conclude that the location of the type and characteristics of potential impacts are not such as to trigger the requirement for submission of an EIAR.

6.0 The Appeal

6.1. Grounds of Appeal

- There is ambiguity in the County Development Plan/LAP in relation to the type of School (primary/post primary) to be facilitated on the application site.

- The phasing of housing development/school provision set out in the Development Plan has been ignored by the planning authority.
- The Board required the provision of a pedestrian/cycle link on the adjoining pitch and put course permitted under PL06S.247693. This application makes no such provision.
- The vehicular access is from the substandard Oldcourt Road which is a rural laneway not a regional road as stated by the planning authority and is substandard in width and alignment and the proposed development will give rise to traffic hazard.
- The school applied for is temporary, but the vehicular entrance is a permanent feature.
- The site does not meet the standards of 3ha for a two-storey school set out in the Department of Education's guidelines for schools.
- The location is inappropriate as the proposed school is remote from its proposed catchment.
- The Board under ABP302414-18 refused permission for 65 houses, primary school and post-primary school, and playing pitch also off Ballycullen Road to the east of the current site.
- Cars, cyclists and pedestrians will use the road network, especially Ballycullen Green, to access the school thereby negatively impacting on residential amenity of nearby houses.
- If the Board decides to grant permission the pedestrian access from Ballycullen Green should be omitted by condition.

6.2. Applicant Response

- A section of the site along the northern boundary is zoned RES-N for new residential communities in accordance with approved area plans and education is permitted in principle. The majority of the site is zoned RU to protect rural amenity and development of agriculture where education is open for consideration.

- The Provision of Schools and the Planning System guidelines published by the Department of Education and the Department of the Environment, Heritage and Local Government sets out best practice in the provision of schools. Policy C9(a) in the County Development Plan seeks to promote and support the provision of primary and post primary schools.
- The proposed school will accommodate Firhouse Educate Together Secondary School which has temporary accommodation for the school year 2021/2022 but no accommodation for 2022/2023. There is demand in the area for this school and this has been recognised by the Department of Education.
- The appeal is correct that the site was originally mapped for a primary school, in the County Development Plan but the Ballycullen/Oldcourt LAP was amended to make provision for a primary or post primary school on the site.
- The application makes provision for a pedestrian/cycle link through the site.
- The application complies with the Design Manual for Roads and Streets. The engineering assessment submitted by the application includes drawing number 19-037-28A-P171 which demonstrates that vertical alignment of the public road at the site entrance is adequate for safety purposes. The footpath on Oldcourt Road is entirely within the applicant's ownership.
- The site is proposed for a permanent secondary school eventually. The access will form part of the permanent school layout. The ideal minimum site area for secondary schools is not always achievable in urban areas where land may be scarce.
- The Department of Education has demonstrated the need for the school within its student catchment. The school travel plan details measures that will reduce transport demand related to this school.
- This application is not comparable to the one refused by the Board in ABP302414-18 because the application site adjoins residential development it is designed to serve, Oldcourt Road is not a rural laneway and varies in width between 5.6m and 5.8m, the application is 8 minutes walk from a public bus stop.

- The proposed development has been designed to create minimal impact on the amenity of nearby houses. The access/drop off is accessed from Oldcourt Road which ensures vehicular traffic is kept away from houses.

6.3. **Planning Authority Response**

- No further comment to make.

6.4. **Observations**

- None

6.5. **Further Responses**

6.6. The Ballycullen Green Residents' Association responded to the appeal as follows.

- The provision of a post primary school conflicts with the County Development Plan. The phasing of school development has not been followed by the planning authority in the decision in this case.
- The pedestrian/cycle link is not open to the public because there is a lockable gate on it.
- Oldcourt Road is inadequate to accommodate the school entrance as proposed. The provision of warning signs demonstrates that this road is not adequate to provide access to the school.
- If the entrance is permanent the public notice is misleading.
- The school is peripheral to its catchment which is located entirely to the north of the site whereas the area to the south is rural and will remain so.
- The reasons for refusal in ABP302414-18 are applicable in this case.
- It is likely that cyclists and pedestrians will pass through the Ballycullen Green housing development.

7.0 **Assessment**

7.1. This assessment will address:

- development plan policy
- traffic safety
- residential amenity
- remoteness from catchment.
- site area
- comparable case
- pedestrian/cycle access
- AAA screening.

7.2. Development Plan Policy.

7.3. The South Dublin County Development Plan 2016 to 2022 is the relevant county development plan for the area. A new County Development Plan is due to be adopted end of August 2022.

7.4. The site has two zoning designations; the southern element of the site is zoned RU to protect and improve rural amenity and to provide for the development of agriculture where education is open for consideration. The northern edge of the site is zoned RES-N to provide for new residential communities in accordance with approved area plans where education is permitted in principle. Policy C9 Objective 2 of the County Development Plan seeks to support and facilitate the provision of additional post primary schools in the Ballycullen/Firhouse/Knocklyon areas and there is a specific objective to provide a primary school within the RU zoned lands at the east end of the application site along the boundary with Oldcourt Road.

7.5. The area is covered by the Ballycullen-Oldcourt LAP (May 2014 but including amendment 1 of May 2017). The point is made in the grounds of appeal that the primary school site is marked in the LAP in the western part of the lands (see figure 2.4 Schools) in the LAP. The appeal is correct on this point. However, I do not see any contradiction between a secondary school in the Ballycullen site and a primary school to the west. Since both the residential zoning and the rural amenity/development of agriculture zonings are open to the provision of educational uses I conclude that the proposed development does not materially contravene the County Development Plan on this point.

- 7.6. Additionally, I do not consider that the proposed secondary school material contravenes the plan because a primary school was indicated in the zoning map 9 (copy attached). In order for a material contravention to arise the secondary school would have to give rise to significantly different planning impacts (say traffic, visual impacts or impacts on residential amenity) as against the impacts from a primary school. I consider that no significantly different planning impacts arise between the two types of school and therefore that the switch from primary to secondary school does not give rise to material contravention.
- 7.7. Additionally, the appeal makes the point that the LAP envisaged that a school would be commenced on site before permission is granted for 150 housing units. More than that number of houses have now been granted permission and therefore the planning authority has not adhered to its phasing objectives. A detailed phasing scheme for the area of the LAP is set out in chapter 6 of the written statement. The non-compliance with the phasing scheme does not give rise to a reason for refusal of permission in this case.
- 7.8. **Oldcourt Road/Traffic safety.**
- 7.9. The appeal makes the point that Oldcourt Road is not a regional route. The OSI maps this as a regional route but this point it is not germane to the assessment of traffic impact.
- 7.10. Oldcourt Road links the Ballycullen Road to in the south with Hunters Road to the north. It has a single white median line from the Ballycullen Road to Hunters Road, a noticeably steep gradient and no footpaths. The proposed vehicular entrance which includes provision for car parking and school bus pickup/drop-off is proposed onto Oldcourt Road. The stage one road safety audit identifies the problem as potentially encouraging pedestrians to exit onto Oldcourt Road where there are no footpaths or pedestrian crossings. The solution to this problem is illustrated on Waterman Moylan Roads Layout drawing number 19-037-28A P100 is the provision of a footpath from the new school access along Oldcourt Road to its junction with Hunters Road. The appeal makes the case that the footpath is partially outside the site boundary. The applicant replied that the footpath is entirely within the application boundary. I agree with the appellant in this case – the proposed footpath is partially on lands outside the red line boundary shown on drawing number 19-037-28A P100 but on the verge

of the public road and therefore in the control of the planning authority. The planning authority's roads section recommended requesting additional information on this point (see point 3 of the recommendation on the road's report dated 8th July 2021 – copy attached). The planning authority did not request additional information. However, I consider that this matter – the footpath/cycle path connection between the Oldcourt Road school entrance and the junction of Oldcourt Road and Hunters Road may be the subject to a compliance condition. Such a condition may be attached requiring the applicant to make a special contribution under section 48(2)(c) to the planning authority towards the provision of a cyclepath/footpath linking the vehicular access on Oldcourt Road to Hunters Road.

7.11. In relation to the footpath from the new entrance to the south this is shown as ending a short distance along Oldcourt Road. Having regard to the:

- The material set out in the traffic and transport assessment submitted with the application.
- The minimal number of houses south of the site,
- The agricultural/amenity zoning of the lands to the south,
- The concentration of residential areas north of the site and the main pedestrian/cycle way access through Ballycullen Green,
- The closest distributor road (Hunters Road) north of the site and the closest bus stop to the northeast,

7.12. I conclude that there will be an imperceptible increase in pedestrians movements south of the school on Oldcourt Road and that no additional traffic hazard arises on this point.

7.13. In addressing the issue of road safety, the application provides bus and car parking/drop off/pick up spaces on site along with a one-way on-site circulation system. This will facilitate the removal off Oldcourt Road of set down/pick up activity. The speed limit at the site entrance on Oldcourt Road is 50kph. The application makes the point that visibility is hampered at the entrance but that the setting back of the roadside hedge is provided for in drawing number 19-037-28A P171 Proposed Vertical Sightlines which demonstrates 45m sightlines from a setback of 2.4m in compliance with DMURS for urban streets with a limit of 50kph.

- 7.14. On the basis of the material submitted with the application, the matters discussed above and subject to the conditions set out in the draft order below I am satisfied that the proposed development will not endanger public safety by reason of traffic hazard.
- 7.15. **Residential Amenity.**
- 7.16. The appeal makes the point the pedestrians/cyclists will access the proposed development through Ballycullen Green housing development, that there is a ramped access towards the eastern (Oldcourt Road) end of the site and a stepped access towards the western end of the site and that these access points are through open space allocated to Ballycullen Green housing development.
- 7.17. The applicant makes the point that the pick-up/drop-off is located at a distance from the residential uses in Ballycullen Green and this will minimise movement through that housing development.
- 7.18. It is noteworthy in this regard that the application site has had a Development Plan designation as a site for educational use for at least 6 years. The application has ensured through the provision of bus/car access from Oldcourt Road that most vehicular traffic will access the school from that direction. The passage of pedestrians and cyclists through housing development will not, of itself, give rise to a level of disturbance inconsistent with the residential amenity of such areas. Furthermore, there is a pedestrian/cycle access from the west permitted under PL06S.247693 for the construction of a playing pitch and associated works and which has been constructed. This access links to the footpath/cycle path on Hunters Road west of the entrance to Ballycullen Green.
- 7.19. In conclusion regarding the two access points through the open space between the houses in Ballycullen Green and the school I consider that this activity will not negatively impact on the utility or amenity of that open space. I do not agree with the appeal that these pedestrian/cycle access routes should be omitted by way of condition.
- 7.20. **Remote from Catchment.**
- 7.21. The appeal makes the point that the site is remote from its catchment and will unnecessarily generate school related travel demand.

- 7.22. The applicant responded that the school site has been assessed in accordance with the Department of Education and Skills Planning and Building Unit's Technical Guidance Document and meets the criteria (a copy of the document is attached to the applicant's response).
- 7.23. The Section 28 guidance for the location of educational uses is set out in "The Provision of School and the Planning System A Code of Practice for Planning Authorities" (DoEHLG and Dept of Education and Science July 2008). The basic approach is that educational demand be forecast in accordance with County /City Development Plan policies and that sites for educational facilities and facilities themselves be provided in a timely fashion. Notwithstanding the difference between primary and post primary schools it is clear that the planning authority has for some time earmarked this site for educational use in the County Development Plan. The appeal makes the point that the catchment is largely to the north of Hunters Road, and I consider that this situation (given zoning and topography) is likely to remain so for some time. Nonetheless, and the point is made by the applicant, optimum conditions are not always available when planning school locations sites available in central locations. It is noteworthy in this regard that while Ballycullen Green comprises relatively low density two storey houses in the area there are higher density town house and apartment developments along Hunters Road close to the application site.
- 7.24. Additionally, the appeal contrasts the temporary nature of the school proposed in this case with the permanent nature of the access. As the site is zoned for educational use it is reasonable that the access be provided to serve any future permanent school buildings proposed.
- 7.25. **Site Area.**
- 7.26. The appeal makes the point that the site is 0.86ha whereas the Technical Guidance Document sets a standard of 3.13ha for two storey schools. Given the proximity of public open space, and the sports facilities included in the application I conclude that the proposed site is adequate to accommodate the school.

7.27. Comparable Case.

7.28. The appeal references ABP302414-18 wherein the Board refused permission on two adjoining sites to the east accessed from Ballycullen Road for a housing development of 65 units on site A and outline permission on Site B, for construction of educational campus comprising primary school and post-primary school and playing pitch.

7.29. I do not consider that the circumstances of material contravention of Development Plan objectives or traffic safety concerns on Ballycullen Road apply in this case and do not recommend that permission be refused for these reasons.

7.30. Cycle access

7.31. The appeal makes the point that there is no pedestrian/cycle link to the pitch and put facilities to the west of the site. The applicant states that there is a gated access provided on site layout drawing P21.003K-02-00-L00-DR-RAU-AR-1003. I agree with the applicant on this point and consider that a gated access is appropriate and reasonable.

7.32. On the wider point of permeability, I consider that the proposed development will have no impact on east/west movement along the open space/footpath or public road on the northern edge of the application site between it and the houses in Ballycullen Green.

7.33. Appropriate Assessment Screening

7.34. The application was accompanied by an appropriate assessment screening report. The Screening Report identified 11 European sites within a potential zone of impact of 15kms. While this 15km zone is not definitive I consider that it is appropriate in the present case. The report states that there are no water courses on site and no connectivity between the application site and any European site. The proposed development will drain foul water to the Ringsend MWWTP. The report therefore concludes that there are no potential significant effects on any European site.

7.35. 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. I recommend a grant of planning permission.

9.0 Reasons and Considerations

9.1. Having regard to:

- The zoning of the application site set out in the South Dublin County Development Plan 2016-2022 to protect and improve rural amenity and to provide for the development of agriculture and to provide for new residential communities in accordance with approved area plans wherein educational uses are permitted or open for consideration.
- The provisions of the Ballycullen-Oldcourt Local Area Plan 2014 (as amended),
- the location of the application site relative to housing development,
- the provisions for traffic management on Oldcourt Road, within the site and in the wider area,

It is considered that the proposed development complies with the provisions of the current County Development Plan and the Local Area Plan and, subject to compliance with the conditions set out below, would not endanger public safety by reason of traffic hazard or seriously injure the amenity residential property in the vicinity and would, otherwise, 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 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>Reason: In the interest of clarity.</p>
2.	<p>Prior to commencement of development the developer shall submit to and agree in writing with the planning authority following:-</p> <p>(a) details of a footpath and cycle path connection between the school entrance on Oldcourt Road and the junction of Oldcourt Road and Hunters Road.</p> <p>(b) details of visibility splays in both directions at the school entrance on Oldcourt Road and appropriate road markings and warning signs.</p> <p>Reason: In the interest of pedestrian and traffic safety.</p>
3.	<p>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 carpooling by staff and students in the development and to reduce and regulate the extent of staff parking.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p>

4.	<p>Prior to commencement of development, the developer shall enter into water and/or wastewater connection agreements with Irish Water.</p> <p>Reason: In the interest of public health.</p>
5.	<p>Surface water drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
6.	<p>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.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p>
7.	<p>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:-</p> <p>(a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development.</p> <p>(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.</p> <p>(d) details of proposed boundary treatments at the perimeter of the site, including heights, materials, and finishes. (e) details of natural SuDS features,</p> <p>The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.</p> <p>Reason: In the interest of visual amenity.</p>
8.	<p>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 7 of this order. This tree survey, which</p>

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.

	<p>Reason: To facilitate the identification and subsequent protection of existing trees on the site, which represent an important amenity and should be substantially maintained.</p>
9.	<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:</p> <ul style="list-style-type: none"> (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. <p>A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.</p> <p>Reason: In the interest of amenities, public health, and safety</p>
10.	<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</p>

	<p>with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006.</p> <p>Reason: In the interest of sustainable waste management.</p>
11.	<p>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.</p> <p>Reason: In order to safeguard the residential amenities of property in the vicinity.</p>
12.	<p>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.</p> <p>Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.</p>
13.	<p>The developer shall pay to the planning authority a financial contribution as a special contribution under section 48(2) (c) of the Planning and Development Act 2000 in respect of:</p> <ul style="list-style-type: none"> a) The provision of a pedestrian crossing on Hunters Road. b) The provision of a footpath/cycle path on that part of Oldcourt Road outside of the application site between the school entrance and the junction of Oldcourt Road and Hunters Road. <p>The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter</p>

	<p>shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.</p> <p>Reason: It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.</p>
--	--

Hugh Mannion
Senior Planning Inspector

3rd February 2022