



An
Bord
Pleanála

Inspector's Report

ABP-311264-21

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| Development | Construction of a single storey classroom extension at the front/side of existing single storey school and ancillary site works |
| Location | St. Patrick's National School, Morrinstown Road, Newbridge, Co. Kildare, W12 FH94 |
| Planning Authority | Kildare County Council |
| Planning Authority Reg. Ref. | 201359 |
| Applicant(s) | The Board of Management of St. Patrick's National School |
| Type of Application | Permission |
| Planning Authority Decision | Grant |
| Type of Appeal | Third Party |
| Appellant(s) | Michael and Mary Conlan |
| Observer(s) | None |
| Date of Site Inspection | 12 th November 2021 |
| Inspector | Ian Boyle |

1.0 Site Location and Description

- 1.1. The appeal site comprises an existing school (St. Patrick's National School) and is situated on the Morristown Road, roughly 800m to the northwest of Newbridge town centre, Co. Kildare. The site has a stated area of 0.6ha, approximately.
- 1.2. The school campus is bound to the south by two detached houses (Avalon and Bundoran House) and southeast by the housing estate 'Highfield Estate', which comprises two-storey terrace houses. There is a detached dwelling, called 'The Rectory', to the north, and open farming land to the northeast and east. The Morristown Road runs along the western boundary of the site.
- 1.3. There is a surface car park situated at the front of the school building. A single vehicular entrance leading off Morristown Road is at the north of the site and there is an exit further to the south. The rear (eastern section) of the school grounds accommodates a hard surface basketball court, play area, and open grass. A small garden is present in the north-eastern corner.
- 1.4. There are some mature trees and hedgerows present on the north and south side of the site and an existing steel palisade fence runs around the rear and side boundaries of the wider school campus.

2.0 Proposed Development

- 2.1. The proposed development is an extension to the school, comprising a new classroom for Special Educational Needs (SEN), 2 no. SET rooms (Special Education Teacher), library and resource room, boiler room, and associated site development works.
- 2.2. The proposal also includes temporary classroom accommodation which is intended to be used for the duration of the construction phase until the permanent school extension is operational.
- 2.3. The Planning Authority requested further information on 14th January 2021, including details in relation to: potential visual impact and overshadowing (Item 1); details of proposed boundary treatments (Item 2); traffic congestion, car parking and transport safety concerns, some of which could potentially be worsened by the proposed bus set down area at the front of the school (Item 3); the preparation and submission of a

Mobility Management Plan (Item 4); and a request to respond to the issues raised in a third party observation received by the Planning Authority.

- 2.4. The Applicant responded with further information on 13th July 2021. This mainly included a revised design for the road layout to cater for the existing and future operational needs of the school, the preparation of a Mobility Management Plan, and revising the design of the proposed extension so that the roof was reduced in height to match the maximum height of the existing school building.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority granted permission on 9th August 2021, subject to 15 no. conditions.
- 3.1.2. The conditions are mainly standard and include: the completion of a Stage 1 and 2 Road Safety Audit (Condition 3); submission of a revised final design for the road enhancement works on the Morrinstown Road (Condition 4); preparation of a Construction Management Plan (Condition 6); that no traffic or material should be stored on the public road or footpath during the build phase (Condition 8); and restrictions on site working hours (Condition 15).

3.2. Planning Authority Reports

3.3. Planning Reports

- The Planning Officer recommended that permission be granted, subject to conditions.
- The principle of the school extension was considered acceptable. The revisions made by the Applicant as part of their further information response would help ensure that the proposed development would not have a negative impact on the visual or residential amenities of the area.
- The internal Council departments had no objection to the proposed development.

- A previously submitted AA Screening Report concluded that there would be no impact on the integrity of the Natura 2000 Network.

3.4. Other Technical Reports

Municipal Engineer: Further Information requested in relation to the provision of a footpath that ties in with an existing footpath located each side of the school, and completion of a Road Safety Audit (RSA) (Stage 1 and 2). No objection, subject to conditions

Water Services Department: No objection, subject to a condition.

Transportation: Further Information requested in relation to potential for traffic congestion and transport related concerns, which were addressed by the Applicant as part of further information. No objection, subject to condition.

Environment: No objection, subject to conditions.

Chief Fire Officer: No objection, subject to Fire Certificate.

Environmental Health Officer: No objection, subject to condition.

3.5. Prescribed Bodies

Irish Water: No objection, subject to standard conditions.

3.6. Third Party Observations

A third party observation was received by residents in the area (Michael and Mary Conlan), who live in Avalon, which is the house adjoining the appeal site to the south.

The main concerns raised were:

- The proposed height, scale and massing of the proposed new structure would be excessive and be imposing on their house. There is space elsewhere on the site to accommodate the required, new facilities.
- Visual impact and overshadowing. No shadow analysis was completed.
- The boiler house would have a negative noise impact on their property.

- Various concerns raised regarding car parking, traffic safety and road congestion during peak school times.
- Noise and disturbance caused during the construction phase.
- Insufficient information submitted regarding the proposed boundary treatments.
- Devaluation of property.
- Noise caused by the proposed play area, which would be nearby, would be distracting and cause a nuisance.
- Potential for cracking and structural instability during the construction phase.
- Potential removal of an existing, mature birch tree on the appeal site between the third party's property and existing school.
- Potential impact on protected species.

4.0 Planning History

Subject Site

Reg. Ref. 09/1249: On 18th December 2009, permission was granted for the removal of an existing, prefab classroom and the construction of 3 no. standard classrooms, and associated site works.

Reg. Ref. 05/1439: On 16th August 2005, permission was granted for a temporary prefabricated, single-storey classroom unit containing 1 no. classroom and toilet facilities, and associated site works.

Reg. Ref. 04/2561: On 15th April 2005, permission was granted for a new single storey extension to the side and rear of the existing school containing 2 no. classrooms, a GP room, 2 no. additional teaching spaces, library, associated ancillary accommodation and circulation areas.

Reg. Ref. 03/1098: On 28th July 2003, permission was granted for a temporary prefabricated single storey unit providing 1 no. classroom, toilets and associated site works.

Reg. Ref. 02/128: On 8th May 2002, permission was granted for a temporary prefabricated single-storey classroom, together with associated siteworks.

Surrounding Area

Reg. Ref. 03/977: On 16th July 2003, permission was granted for a bungalow and garage on the adjoining site to the south.

5.0 Policy Context

5.1. Newbridge Local Area Plan 2013-2019 (as extended to 22nd Dec 2021)

- 5.1.1. The site is zoned 'Objective E – Education and Community', under the *Newbridge Local Area Plan 2013-2019*, extended to 2021 ('LAP'). The LAP states that the purpose of this zoning objective is to provide for community and educational facilities. Table 18 (Land Use Zoning Matrix) of the LAP lists a school use as permitted in principle.
- 5.1.2. Section 7.0 (ix) 'Educational, Community and Cultural' states that *"the provision of education and community facilities to support the projected population levels of Newbridge are recognised. In this regard a site has been identified for the provision of a new school while the improvement of local community facilities and sports facilities together with the need to encourage the shared use of existing facilities is advocated"*.
- 5.1.3. Section 7.10.1 'Education, Community and Cultural Facilities' states that *"an expanding population, such as that in Newbridge generates increased demand for the provision of services, community facilities, school places and amenities. It is imperative that these essential facilities are provided in tandem with new development and as new communities emerge..."*

5.2. Kildare County Development Plan 2017-2023

- 5.2.1. The current Development Plan is the *Kildare County Development Plan 2017-2022* ('Development Plan'). The following policy sections are relevant:
- Chapter 11 – Social, Community and Cultural Development;
 - Chapter 17 – Development Management Standards; and
 - Variation No. 1 of the Kildare County Council Development Plan 2017-2023 took effect from 9th June 2020.

5.3. National Policy

- Design Manual for Urban Roads and Streets (2019);
- Urban Development and Building Heights Guidelines for Planning Authorities (2018); and
- The Provision of Schools and the Planning System - A Code of Practice for Planning Authorities, the Department of Education and Science and the Department of the Environment, Heritage and Local Government (2008);

5.4. Natural Heritage Designations

No natural designations apply to the subject site.

The closest European site is Pollardstown Fen (SAC) (Site Code: 000396), which is approximately 880m to the west.

Pollardstown Fen pNHA (Site Code: 000396) is situated roughly 900m to the west.

The Curragh pNHA (Site Code: 000392) is roughly 1.7km to the south.

Mouds Bog pNHA (Site Code: 000395) and SAC (Site Code: 002331) is approximately 3.0km to the north.

5.5. EIA Screening

Having regard to the nature and relative small scale of the proposed development, which consists of a school extension and associated site works in a fully serviced, urban area, and its 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. A Third Party Appeal was received from the residents at Avalon, which is the detached house adjoining the appeal site directly to the south.

6.1.2. The main grounds of appeal generally reiterate the concerns raised in the previous submission to the Planning Authority, and which was made by the same party (Michael and Mary Conlan). The Appeal, however, also raises the following issues:

- The Appellant confirms they are not against the principle of the proposed development and respect the need for more schools and school extensions.
- The location of the proposed, new structure – close to the Appellant’s property – and given its significant height, scale and massing, would mean it would have a significant visual impact and restrict their access to natural daylight. It would also lead to unacceptable overlooking, loss of privacy, car parking issues, traffic safety concerns and excessive noise. A series of photographs are appended to the rear of the appeal submission, which seek to illustrate the size and scale of the proposed development and likely loss of daylight and sunlight, and level of visual impact, that would be incurred.
- The further information submitted by the Applicant did not adequately address the Planning Authority’s concerns and was vague.
- Certain information that was conditioned by the Planning Authority should have been provided by the Applicant, prior to a Decision being made. (For example, the Stage 1 and 2 Road Safety Audit should not have been conditioned and should, instead, have been required and assessed during the Council’s assessment of the application.)
- The proposed extension has not been designed carefully and has failed to examine other alternative locations on the school grounds, which would be more appropriate. For example, at the rear of the main school building.

6.2. Applicant Response

The Applicant submitted a detailed Appeal Response on the 29th September 2021, which includes the following main points:

- The principle of the proposed school extension is supported by the zoning objective for the site, which is ‘E – Education and Community’. It is for the delivery of SEN (Special Educational Needs) for children who have been

diagnosed with Autism Spectrum Disorder. The SEN unit is necessary to address the needs of 6 no. children who currently attend the school.

- The proposed school extension represents a minor increase in floor area (204 sqm) compared with the existing floorspace of the school (1,370sqm).
- The school predates the Appellant's dwelling, which was permitted in July 2003. The school was in existence before this. The Appellant, therefore, chose to build their house near an existing school and were aware of this when they decided to live in this location.
- The Appellant have built their house and domestic shed close to the shared boundary with the school with a small setback of approximately 1.0m and with windows overlooking the school property (northern elevation). The school should also be entitled to build a single storey extension, which would be the same distance from the shared boundary.
- The Planning Authority completed a thorough assessment of the potential residential amenity impact that the proposed development could have on the Appellant's property. This included requesting further information from the Applicant and applying several conditions to the Notification of Decision to Grant Permission, including details to address issues such as road and pedestrian safety issues, potential nuisance during the construction phase, drainage, and restrictions on site working hours.
- The proposed extension is single storey only and has a pitched roof that rises in height away from the shared boundary with the Appellant's property. The roof was also redesigned at further information stage to ensure that least possible impact would be incurred by the Appellant. This included reducing the height of the roof to match the maximum height of the existing school building.
- The Appellant does not have permission for the 4 no. windows on the northern elevation of their house, which are directed towards the school campus and have an impact on its daily operations. Planning permission only exists for 3 no. windows. The northern elevation of the Appellant's dwelling also affects the school property in that it overshadows, overlooks and has a negative visual impact due to its proximity and orientation.

- The proposed extension would not cause any undue overshadowing of neighbouring properties. The Applicant submitted a shadow study as further information to the Planning Authority, which indicates minimal shadowing only would be cast on the Appellant's property. The Appellant has not submitted an alternative shadow study to refute this.
- There are no proposed first-floor windows that could give rise to overlooking adjacent properties. Also, the south-facing ground level windows cause no overlooking as they serve a single WC and have obscure glass. The windows on the roof are rooflights only.
- The issues relating to adequacy of car parking, illegal parking and highway safety are addressed by the previous report completed by Transport Insights, which was submitted as further information to the Planning Authority. The Applicant notes also that the Council's Transportation Department had no objections post receipt of this report, and that the Applicant is required to complete a Stage 1 and 2 Road Safety Audit prior to commencement of the development (Condition 3). The Appellant provides no evidence to support their concerns regarding traffic and car parking.
- The proposed extension is intended to serve existing staff and students and there would be no increase in pupil numbers. Therefore, there would be no increase in noise levels. Conversely, the proposed extension could potentially assist in blocking / screening the main, current source of noise, which is generated by children playing outside at the rear of the main school building.
- The proposed boiler room is a contemporary, gas boiler system located in a room that would adjoin the new library / resource room. It would not give rise to any audible noise. The old boiler system will be replaced.
- Various national planning policy objectives are cited, which support new schools and new school extensions / refurbishments.

6.3. **Planning Authority Response**

- No further comment or observations to make. The Board is referred to the Planner's Report and various reports completed by the Council's technical Departments.

6.4. **Observations**

- None

7.0 **Assessment**

The main planning considerations relevant to this appeal are:

- Design, Size and Scale
- Residential Amenity
- Traffic and Road Safety
- Appropriate Assessment

7.1. **Design, Size and Scale**

7.1.1. The appeal site is zoned 'Objective E – Education and Community', under the provisions of the *Newbridge Local Area Plan 2013-2019* (as extended). The LAP states that the purpose of this zoning objective is to provide for community and educational facilities. Table 18 (Land Use Zoning Matrix) of the LAP lists a school use as permitted in principle. Therefore, the proposed extension of the school is consistent with the zoning for the site.

7.1.2. In addition to the zoning, there are a number of other policies and objectives in the LAP, which are relevant to proposed school extension, including Section 7.0 (ix) 'Educational, Community and Cultural' and Section 7.10.1 'Education, Community and Cultural Facilities'. The proposed form of development is consistent with these policies, in my opinion, and would contribute to the improvement of local educational and community facilities.

- 7.1.3. The provision of a modern, purpose-built school extension would allow the existing campus to expand and continue to provide educational services as new housing and communities emerge in the surrounding area. However, the proposed design, size and scale of the proposed development requires consideration, which is the main concern raised by the Appellant.
- 7.1.4. The new school extension would be situated in the southwest corner of the site and be adjacent to the Appellant's property (Avalon), which is directly south. The Applicant submits that the proposed location of the new extension has been selected to preserve the small amount of hard and grass play areas at the rear of the school campus. I note that during my physical inspection of the site, it was clear that these areas were used by children affiliated with the school for breaktimes and formal / informal play purposes. In my opinion, it would not make sense to reduce the size of the open space area to accommodate the new extension, particularly if there is a potential, viable alternative elsewhere on the site.
- 7.1.5. The proposal adopts a contemporary design and is a departure from the more traditional architecture that is main school building. It proposes a combination of render and aluminium materials for the building façade and roof, respectively, and the proposed fenestration arrangement is relatively uniform avoiding any elaborate designs or features. The proposed layout is such that it seeks to maximise the space within a relatively underutilised corner of the school grounds, which is made up of small grass areas and hard surface.
- 7.1.6. The proposed extension is a tall single-storey structure that wraps around the main part of the existing school building. It would be visually prominent as it steps forward of the established building line created by the main school building.
- 7.1.7. The proposed extension was reduced in height at further information stage, such that it would be no taller than the existing school buildings and repositioned on the site to avoid extending past the rear building line of the Appellant's house, which is adjacent. The proposed development, therefore, now has an overall ridge height of 6.9m, approximately, which decreases to roughly 3.1m at eaves level at the southern boundary. There is a generous side setback, which is approximately 1.3m at its nearest point, extending to 3.5m deeper into the site. In my opinion, an appropriate reduction in scale has been achieved between the proposed development and

residential property to the south. I further note that there is an existing blockwork wall and palisade fence running down along the shared boundary, which would assist in impeding views between the two properties. In my opinion, the proposed design is of a high overall standard. It would not represent overdevelopment of the site and would be of an appropriate scale, size and design.

- 7.1.8. In summary, the Applicant has sought to achieve a design that integrates the proposal with its receiving environment and I consider that they have done this successfully. The scale of the development proposed, its design, and the overall façade treatment and use of materials is of sufficient architectural quality. It would be a welcome addition to the streetscape, in my opinion, and would not result in any significant visual, amenity or overbearing effects on the surrounding vicinity.

7.2. Residential Amenity

- 7.2.1. The Appellant states that they have concerns regarding potential overlooking, noise, and reduced access to daylight and sunlight, which would negatively affect their residential amenity.
- 7.2.2. As noted above, the proposed school extension is single storey and tapers down in height as it approaches the Appellant's property to the south. In my opinion, it has been sensitively designed and positioned on the site such that it would not give rise to any significant visual impact or be overly dominant. There are no proposed windows on the south elevation that are positioned lower than the existing boundary wall and palisade fence. The only exception to this is the proposed rooflights, which are placed well above head height and positioned at an upwards angle on a pitched roof. Therefore, I consider it unlikely that the proposed extension could result in any significant overlooking of the Appellant's property.
- 7.2.3. In terms of potential noise created by additional activity due to increased students, I do not consider that this would be excessive, or that it would be likely to be greater than experienced at present. Operational noise, and other emissions, arising from the proposed extension would be similar to that existing, and would be typical for a school in an urban context, such as this. If the Board are minded, a Lighting Plan could be requested as a condition in the event of a grant of permission for the proposed development.

- 7.2.4. In relation to noise, the new extension would provide additional SEN facilities to help cater to the needs of 6 no. children who currently attend the school. The proposed extension would have a small increase in floorspace (204 sqm) relative to the existing school (1,370sqm). The positioning of the extension along a general east to west axis would also likely assist in absorbing and dampening any noise that is currently carried from the school playground generated at the rear of the appeal site towards the residential property to the south.
- 7.2.5. The Appellant also raises a concern regarding the location of the new boiler room within the extension and that this could give rise to further noise issues. In this regard, I note that the boiler would be positioned next to the new library / resource room and that it is in the interests of the school to ensure that a quiet and discreetly operating facility is installed. I further note the intention to replace the old boiler system – which may have been the root cause for concern for the Appellant in relation to potential noise emissions – and that the new system would be likely to operate more efficiently and quietly. Whilst a potential option would be to relocate the boiler to a more central location on the site, I do not consider this necessary.
- 7.2.6. In terms of potential overshadowing, the Applicant's shadow projections plot the sun path at various times of the day and month to identify the extent of potential overshadowing on the existing, adjacent houses and gardens. The assessment concluded that there would be little or no impact on the surrounding properties, including Avalon to the south. I have considered the assessment against the provisions of 'BS 8206-2:2008 (British Standard Light for Buildings - Code of Practice for Daylighting)' and 'BRE 209 - Site Layout Planning for Daylight and Sunlight - A Guide to Good Practice (2011)'. Both documents are referenced in the Section 28 Ministerial Guidelines on 'Urban Development and Building Heights (2018).
- 7.2.7. Regarding the potential overshadowing impact on third parties, no assessment against Virtual Sky Component (VSC) or Annual Probable Sunlight Hours (APSH) in accordance with the BRE Guide has been conducted or submitted by the Applicant. Whilst I accept a series of shadow projection diagrams have completed by the Applicant, these do not provide a review against the criteria as per the relevant British Standard(s), or BRE Guide. However, I do not consider that such an assessment would be required in this circumstance.

7.2.8. I have carried out a physical inspection of the appeal site, and its surrounding vicinity, and viewed the technical drawings accompanying the application. I am satisfied due to the minimum side separation distances proposed, and overall height of the proposed development, which is 6.9m approximately at the apex of the proposed development, and which decreases to roughly 3.1m at eaves level at the southern boundary, that there would no significant overshadowing impact on adjoining residential properties caused by the development proposed. I note also that given the orientation of the sun path, which is from the south, that most of the shadow created by the proposed development would be angled northwards away from the Appellant's property.

7.2.9. In summary, I do not consider that the proposal would seriously injure the residential amenities of the area or of property in the vicinity, by way of visual impact, overlooking, noise, loss of daylight or sunlight, or otherwise. The operation of the new school extension would not be likely to result in any substantial increase in disturbance or nuisance for neighbouring residents. Accordingly, the proposed development should not be refused for reasons regarding potential impacts on neighbouring residential amenities.

7.3. Traffic and Road Safety

7.3.1. The Appellant states that negative traffic impacts are currently being experienced in the area due to school traffic at peak times. This is caused by the existing school and the impact it has on traffic and the general environment in this part of Newbridge. It is stated that the proposed expansion of the school would lead to an intensification of the existing problems.

7.3.2. Having inspected the site I note that there is a reasonable amount of off-street car parking available within the premises of the school. The parking spaces are located at the front of the main school building. There is also school dedicated on-street parking spaces near the southwestern corner of the site accessible from the public road. During my site inspection – which was on a school day, albeit outside peak times – I noted that there were no illegally parked vehicles in the vicinity of the site and that there were a small number of vacant spaces available onsite. Nonetheless, I acknowledge the Planner's Report where it is stated that the existing school car park

is operating at full capacity and there is congestion on the L7036 (Morristown Biller Road) during peak morning times. The Planning Authority noted that these issues could be worsened by a new, proposed bus set-down area at the front of the school.

- 7.3.3. The Council's Transportation Department requested further information in relation to these issues (Item 3) and the preparation of a Mobility Management Plan to support and encourage more sustainable forms of transport to/from the school (Item 4). The Applicant submitted a detailed response under the cover of Transport Insights (Transport Planning Consultancy). The report notes that following engagement with the Planning Authority, a revised design was proposed to cater for the existing and future operational needs of the school.
- 7.3.4. The revised design is in accordance with DMURS and is a marked improvement over the existing layout, including in relation to vehicular access, pedestrian facilities, and parking arrangements. It would have a dedicated footpath, bus lay-by, and unobstructed sightlines. The car parking facilities next to Morristown Road would be formalised and separated from the pedestrian circulation space, and traffic calming measures approaching the school – in conjunction with a raised table crossing which would replace the existing speed ramp – would greatly improve the general road conditions at the school, in my opinion.
- 7.3.5. A total of 23 no. car parking spaces would be provided for the school as part of the proposed development. These would be in the form of 16 no. spaces within the school grounds and 7 no. spaces accessible directly from the Morristown Road. I note that the proposed car parking provision would be in accordance with the Table 17.9 of the Development Plan, which requires a total of 22 no. spaces for both the mainstream classroom component (16 no. spaces) and new SEN and SET classrooms (6 no. spaces). I further note that additional cycle parking facilities would be provided for the school in the form of 44 no. cycle parking spaces. The parking bicycle stands would easily be accessible and located at the northern part of the school yard and near the main entrance to the existing school building.
- 7.3.6. Finally, I acknowledge the Appellant's concern that a Road Safety Audit (Stages 1 and 2) should not have been conditioned by the Planning Authority and, instead, completed at assessment stage, prior to granting permission. However, I would note that it is not unusual for an RSA to be completed as a further check for safety issues,

within a permitted scheme, rather than an identification of non-compliance with the required design standards. Therefore, it is appropriate to require the completion of the RSA assessment post-planning, and as a condition, prior to the commencement of development.

- 7.3.7. In summary, and having regard to the above, I consider that the proposed development would result in a satisfactory road design and layout, which would be unlikely to result in any additional traffic congestion or endanger public safety by way of presenting as a traffic hazard. Conversely, the proposed development would likely enhance the existing layout and be conducive to improved pedestrian safety.

7.4. Other Issues

- 7.4.1. In relation to the potential removal of an existing, mature birch tree, near the Appellant's property. I consider that this can be addressed via the preparation of a Tree Survey and Landscaping Plan, which could be required under condition.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature and small scale of the proposed development, which is an extension to an existing school, located within an urban and serviced area, and the distance from the nearest European site, no Appropriate Assessment issues arise. Therefore, it is not considered that the proposed development would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

8.0 Recommendation

- 8.1. I recommend that planning permission be granted for the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the zoning objective for the area ('Objective E – Education and Community') as set out in the Newbridge Local Area Plan 2013-2019 (as extended), the nature, scale and design of the proposed development, and pattern of

development in the surrounding vicinity, it is considered that, subject to compliance with the conditions below, the proposed development would not seriously injure the visual or residential amenities of the area or of property in the vicinity, 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

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| 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 submitted on 13th July 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>Reason: In the interest of clarity.</p> |
| 2. | <p>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.</p> <p>Reason: In the interests of clarity and the protection of residential and visual amenity.</p> |
| 3. | <p>Prior to the commencement of development, a final design of the road enhancement works as indicated in the Preliminary Design documentation, (as received by the Planning Authority on 13th July 2021), shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development.</p> <p>Reason: In the interest of amenity and of traffic and pedestrian safety.</p> |

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| 4. | <p>A Road Safety Audit (Stages 1 and 2) shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development, in order to demonstrate that appropriate consideration has been giving to all relevant aspects of the development in accordance with the Design Manual for Urban Roads & Streets (DMURS).</p> <p>The measures recommended by the Auditor shall be undertaken, unless the Planning Authority approves any departure in writing. A detailed drawing(s) showing all accepted proposals and a feedback report should also be submitted.</p> <p>Reason: In the interests of public safety and residential amenity.</p> |
| 5. | <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 all intended construction practice for the development, including measures for protection of existing development and boundary walls, construction traffic routing and management, construction parking, materials storage, site compound, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p> |
| 6. | <p>Prior to the opening 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 employed in the development and to reduce and regulate the extent of staff parking. 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.</p> <p>Reason: In the interest of encouraging the use of sustainable modes of transport.</p> |
| 7. | <p>Lighting shall be directed away from adjacent housing and gardens and directed and cowled such as to reduce, as far as possible, the light scatter over any adjacent houses and gardens and designed so as not to cause excessive glare.</p> <p>Reason: In the interests of amenity and public safety.</p> |

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| 8. | <p>Water supply and drainage arrangements for the site, including the disposal of surface and soiled 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> |
| 9. | <p>The developer shall enter into water supply and wastewater connection agreements with Irish Water, prior to commencement of development.</p> <p>Reason: In the interest of public health.</p> |
| 10. | <p>a) An accurate tree survey of the site, which shall be carried out by an arborist or landscape architect, shall be submitted to the Planning Authority prior to commencement of development. The survey shall show the location of each tree on the site, together with the species, height, girth, crown spread and condition of each tree, distinguishing between those which it is proposed to be felled and those which it is proposed to be retained.</p> <p>b) Measures for the protection of those trees which it is proposed to be retained shall be submitted to, and agreed in writing with, the planning authority before any trees are felled.</p> <p>Reason: To facilitate the identification and subsequent protection of trees to be retained on the site, in the interest of visual amenity.</p> |
| 11. | <p>Details of the proposed arrangements for all hard and soft landscaping and boundary treatments, shall be submitted to, and agreed in writing with, the Planning Authority prior to commencement of development. The planting shall be carried out in accordance with the agreed scheme and shall be completed within the first planting season following the substantial completion of external construction works. 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> <p>Reason: In the interest of residential and visual amenities.</p> |

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| 12. | <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> |
| 13. | <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> |

Ian Boyle
Planning Inspector

12th January 2021