



An
Bord
Pleanála

Inspector's Report

ABP-318443-23

Development

Demolition of the existing two-storey school building and single-storey extensions and removal of temporary classrooms on site and the construction of a three-storey school building and all associated site development works.

Location

Arklow CBS, Coolgreaney Road,
Arklow, Co. Wicklow, Y14 RV04

Planning Authority

Wicklow County Council

Planning Authority Reg. Ref.

2360032

Applicant(s)

Arklow CBS Board of Management

Type of Application

Permission

Planning Authority Decision

Grant Permission

Type of Appeal

Third Party v. Decision

Appellant(s)

Christopher & Shelley Cooke

Observer(s)

None

Date of Site Inspection

24th May 2024

Inspector

Louise Treacy

1.0 Site Location and Description

- 1.1. The subject site has a stated area of 2.46 ha and is located on the southern side of Coolgreaney Road, Arklow, Co. Wicklow, approx. 200 m west of the town centre area. The application site accommodates Arklow CBS boys' secondary school, with the existing buildings being set back from the public road and generally clustered on the north-eastern portion of the site.
- 1.2. The existing school buildings are of differing dates of construction, with the main structure adjacent to Coolgreaney Road being 2-storeys in height, with various single-storey extensions and temporary accommodation added thereafter and extending into the central area of the site. A multi-use games area wraps around the school's western (side) and southern (rear) boundaries. Grassed playing pitches extend from the boundary with Coolgreaney Road along the western and southern extents of the site. Surface car parking is provided to the front and along the eastern boundary towards the rear of the site. Two vehicular entrances are in place to the front of the school, with a third (unused) entrance located to the front of the playing pitches. A pedestrian crossing is in place on Coolgreaney Road.
- 1.3. Established residential estates of 2-storey dwellings adjoin the site to the west at Coolgreaney Park and to the south at John Paul Avenue and St. Peter's Place. Detached residential dwellings adjoin the site to the east. A 2-storey former monastery which is now in residential use (Robin Hill) adjoins the 2-storey school building at the front of the site. This property is attached to the school along its eastern elevation by way of a single-storey, covered store structure. The school lands wrap around this private property on its eastern, western and southern sides.
- 1.4. St. John's Senior National School is located directly opposite the site on the northern side of Coolgreaney Road.

2.0 Proposed Development

- 2.1. The proposed development will consist of the demolition of the existing 2-storey school building and single-storey extensions (c. 2,570 m²) and removal of temporary classrooms on site (c. 120 m²); construction of a 3-storey school building (c. 7,525 m²) including general and specialist classrooms, a special education needs (SEN)

unit, offices, general purpose hall, PE hall, fitness suite, staff room, library, social spaces, sanitary facilities and ancillary spaces with solar photovoltaic panels at roof level; upgrading of the existing vehicular entrance to the sports pitch and the creation of a new vehicular entrance on Coolgreaney Road to provide a dedicated vehicular entrance and exit points as part of a new one-way traffic system through the site; removal of the existing main vehicular entrance and provision of a new pedestrian/cyclist entrance on Coolgreaney Road; provision of a car set-down area within the school grounds and construction of a 56 m bus set-down area along Coolgreaney Road; provision of a new pedestrian/cyclist access from John Paul Avenue; removal of 32 no. existing car parking spaces and provision of 70 no. car parking spaces including 1 no. electric vehicle parking space and 4 no. accessible spaces; provision of 100 no. sheltered bicycle parking spaces; provision of external play and amenity areas including a SEN play area and 3 no. multi-use games areas; provision of landscaping, boundary treatment, site lighting, provision of a covered work area, bin stores and storage shelters; provision of associated drainage, attenuation and other site services including an ESB substation and switch room (25 m²); and all related site development works.

- 2.2. The new school buildings are proposed on the rear/south-eastern portion of the site and extend up to 3-storeys in height. The main building volume is 3-storeys and is generally arranged in an east-west orientation. The building height reduces to 2 storeys adjacent to the eastern site boundary, with this secondary building volume arranged along a north-south orientation. The proposed PE hall extends from the rear elevation of the 3-storey element of the building and is 2 storeys (equivalent) in height.
- 2.3. The building materials will comprise a combination of brick and self-coloured render. Fibre cement cladding is proposed on the front portion of the 2-storey teaching block facing towards the main site entrance. Windows are proposed as aluminium framed to selected colours. A sedum green roof is proposed to the roof of the 2 and 3-storey teaching blocks. The roof to the PE hall has a distinctive saw-tooth pitched twin skinned seamed metal roof.
- 2.4. A bus layby for 2 no. buses is proposed at Coolgreaney Road, to the west of the vehicular exit. The existing vehicular access in the north-eastern corner of the site will be reconfigured to create a one-way internal road network, which will provide

access to 70 no. staff car parking spaces at the front of the site and a set-down area to the front of the school buildings. Vehicles will exit via the existing access point adjacent to the playing pitches. A spur road off the internal access road is proposed along the eastern site boundary and will provide access to an external bin store.

- 2.5. Pedestrian and cyclist access from Coolgreaney Road is proposed via a gated entrance on the eastern side of the boundary with Robin Hill. A new pedestrian access is also proposed to John Paul Avenue at the southwestern site boundary. Bicycle parking (100 no. spaces) is proposed adjacent to the rear site boundary of Robin Hill. A gas storage facility and an ESB substation are also proposed adjacent to the southern and southwestern boundaries of this property.
- 2.6. Three multi-use games areas are proposed on the southwestern portion of the site, to the rear of the playing pitches. This area will comprise the main external play space for students. An entrance plaza is proposed to the front of the school building, with a pocket park to the rear and a sensory play area adjacent to the eastern site boundary.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. The Planning Authority issued **Notification of the Decision to Grant Permission** for the proposed development subject to 9 no. conditions on 16th October 2023.
- 3.1.2. Condition no. 4 (b) requires that final details of the revised one-way traffic system, including details of how this system will operate and be managed to ensure the school grounds / parking areas are accessed by staff only, shall be submitted and agreed in writing with the Planning Authority.
- 3.1.3. Condition no. 5 requires a Stage 3 Road Safety Audit to be submitted prior to the occupation of the school.
- 3.1.4. Condition no. 9 requires archaeological monitoring of all site clearance and ground works.
- 3.1.5. All other conditions are generally standard in nature.

3.2. Planning Authority Reports

- 3.2.1. **Planning Reports (16th June 2023 and 11th October 2023):** Following an initial assessment of the application, the Planning Officer recommended that **Further Information** be requested in relation to 8 no. items as summarised below:
- 3.2.2. **Item No. (1):** It is considered that the installation of a new pedestrian route onto John Paul Avenue may negatively impact the amenity and green spaces of the avenue and given that there is already an established pedestrian route with planned improvement works the proposed route may be unnecessary. Applicant to address.
- 3.2.3. **Item No. (2):** The NTA Design Guidance on Safe Routes to Schools discourages on site set-down areas. Applicant to address in light of the proposed car set-down/parent drop off within the school grounds.
- 3.2.4. **Item No. (3):** The applicant is requested to clarify the trees and hedgerows to be removed in the south-west site corner (rear of No. 9 & 10 Coolgreaney Park). Where trees and hedges are being removed, it should be shown that the residential amenity of adjoining dwellings is not being impacted in terms of loss of privacy.
- 3.2.5. **Item No. (4):** Applicant to address concerns of resident of dwelling at Robin Hill with respect to removal of the existing yard roof and yard doors. It is considered that the proposed works do not ensure best solar gain and/or security and protection against anti-social behaviour.
- 3.2.6. **Item No. 5:** Having regard to the Noise Assessment submitted, the Planning Authority has the following concerns:
- (a) There has been no assessment of the potential noise impact from plant equipment on the adjoining dwelling at Robin Hill.
- (b) No details have been provided of the measures required to lower the max. allowable noise levels caused by the heat pumps.
- 3.2.7. **Item No. 6:** Concerns have been raised with respect to shadow impact and loss of sunlight on the neighbouring dwelling to the east. The submitted Shadow Analysis did not include this dwelling and associated private amenity space. Please address.

- 3.2.8. **Item No. 7:** There are concerns the teacher's third floor external balcony may create a new level of overlooking of the adjoining residential property. Balcony screening should be incorporated into the design to protect against loss of privacy.
- 3.2.9. **Item No. 8:** Concerns in relation to boundary treatments:
- (a) The proposed 2.4 m paladin fence may not provide sufficient privacy to the residents of 10 & 11 Coolgreaney Park or the residents along John Paul Avenue and St. Peter's Place.
 - (b) It is unclear if existing boundary walls to the neighbouring private residence are being retained and protected in the construction phase.
 - (c) The 2.4 m paladin fence does not appear to run along the boundary of the site and the dwellings along John Paul Avenue and St. Peter's Place. It appears a small gap is being created between the proposed fence and the existing rear boundaries of the dwellings which will not be accessible for maintenance, and which could be vulnerable to waste dumping.
 - (d) The 1.8 m high wall to the front-east elevation of Robin Hill should be increased to 2 m to ensure residential amenity.
- 3.2.10. A **Response to the Request for Further Information** was submitted by the applicant on 26th September 2023 and can be summarised as follows:
- 3.2.11. **Item No. 1:** Revised plans are enclosed which omit the pedestrian route from the southern site boundary to John Paul Avenue. The proposed ballcourts have been moved slightly to the south as a result and there have been minor alterations to the location of footpaths, internal fencing and landscaping.
- 3.2.12. **Item No. 2:** The internal car set-down area/parent drop-off adjacent to the entrance plaza has been removed. Revised engineering drawings are provided which reflect these changes and provide updated visibility splays, swept path analysis, road markings and signage and watermain and drainage layouts.
- 3.2.13. **Item No. 3:** A revised Arboricultural Assessment and Tree Protection plans are provided showing the retention of the existing trees and hedgerow along the eastern site boundary.
- 3.2.14. **Item No. 4:** Revised drawings are provided to address the concerns of the neighbouring resident at Robin Hill. It is proposed that the existing roof will be

removed and replaced with a new pitched copper roof, including a new roof light which will address solar gain issues in the neighbouring resident's yard/kitchen. The revised drawings also illustrate the proposed omission of the wall along the eastern boundary of the neighbouring resident's site, which will ensure continued access to the ESB meter box and services. The school will be responsible for the future maintenance of this area, as it remains in their legal ownership.

- 3.2.15. **Item No. 5 (a):** A Noise Assessment of the ESB substation has been undertaken which concludes that the noise impact from this plant item will be negligible. The gas storage unit has no noise emitting sources. The noise impacts of these two areas on nearby noise-sensitive locations will be negligible.
- 3.2.16. **Item No. 5 (b):** The noise barrier around the proposed heat pumps was illustrated on the original drawings and is also illustrated on the amended site plan.
- 3.2.17. **Item No. 6:** The adjoining dwelling to the east has been included within the Shadow Impact Assessment. The proposed external store will be c. 4 m in height and will not impact negatively on the daylight currently enjoyed by this property. The proposed single storey external store along the eastern site boundary is likely to have a lesser impact in terms of shadow cast than the existing low quality, 8 m trees which are proposed to be removed.
- 3.2.18. **Item No. 7:** The adjoining residential property is not visible from the edge of the roof terrace area due to the inclusion of the parapet around the roof perimeter. To limit pedestrian movement towards the roof perimeter other than for maintenance purposes, the roof terrace has been amended to include a stainless-steel balustrade and handrail around the perimeter of the roof area.
- 3.2.19. **Item No. 8 (a):** The existing boundary walls and fences along the southern boundary are to be retained and a 2.4 m high paladin metal fence is proposed, inset from the existing treatments. A section of the paladin fence will be infilled with timber privacy screening to further improve privacy to the rear of the proposed main school building.
- 3.2.20. **Item No. 8 (b):** The existing boundary walls along the eastern site boundary are to be retained and protected from any damage during construction.
- 3.2.21. **Item No. 8 (c):** Amended drawings are provided to illustrate the full extent of neighbouring residential sites along the southern boundary. While the original

drawings appeared to show the creation of a 'no-man's land' between the site boundary and the property boundaries of neighbouring dwellings, in reality, the existing residential boundaries have been extended into school-owned grounds over the years. The existing palisade fence along this boundary was erected by the school to prevent any further encroachment into the school grounds.

3.2.22. To provide a well-defined, continuous boundary treatment that allows for maintenance access, the revised site boundary illustrates the provision of a new 2.4 m high paladin fence inset from the existing paladin fence and which includes a gate providing access for the school to maintain this area.

3.2.23. **Item No. 8 (d):** The 1.8 m high wall to front/east elevation of Robin Hill is proposed to be increased to 2 m to protect existing residential amenity.

3.2.24. The applicant's response also notes that 5 items in the Road Safety Audit have been updated including: (1) provision of road markings within the site to clearly define the circulation route; (2) provision of defined pedestrian routes at the entrance in the form of raised tables; (3) provision of additional signage and road markings on Coolgreaney Road and the relocation of the proposed zebra crossing further to the west; (4) provision of continuous footpath to the front of the site; and (5) provision of improved zebra crossing infrastructure.

3.2.25. The response is supported by updated technical reports and drawings.

3.2.26. Following an assessment of the applicant's Further Information response, the Planning Officer considered that the submission had addressed the requested items and that conditions could be attached to address any remaining concerns. It was noted that an upgraded school with capacity for additional pupils is a much-needed facility in the area and it was recommended that planning permission be granted for the proposed development.

3.2.27. **Other Technical Reports**

3.2.28. **HSE - Environmental Health Officer:** Recommendations included in relation to construction stage noise and vibration, air quality and demolition waste storage (asbestos present). Also recommends that a community liaison contact be established with overall responsibility to environmental monitoring and actions.

3.2.29. **Roads Dept. (21st June 2023):** No comments on the layout of the proposed school.

3.2.30. **Fire Service (22nd May 2023):** Conditions recommended in the event permission is granted.

3.2.31. **Area Engineer (20th June 2023):** Notes that plans are underway for the implementation of a “school zone” for St. John’s SNS on Coolgreaney Road, which will share road space with Arklow CBS. Notes that Safe Routes to Schools design guidance seeks to maximise walking and cycling connections and consider restrictions in private vehicles.

3.3. **Prescribed Bodies**

3.3.1. **Dept. of Housing, Local Government and Heritage (20th June 2023):** Recommends that a condition in relation to archaeological monitoring be attached if permission is granted.

3.3.2. **Uisce Éireann (24th October 2023):** None received.

3.3.3. **Fáilte Ireland:** None received.

3.3.4. **Irish Rail:** None received.

3.3.5. **The Heritage Council:** None received.

3.3.6. **National Transport Authority:** None received.

3.3.7. **An Tasice:** None received.

3.3.8. **Arts Council:** None received.

3.4. **Third Party Observations**

3.4.1. Third party observations were made on the application by: (1) Tamara Penston, 4 St. Columba’s Terrace, Coolgreaney Road, Arklow, (2) Chris Cooke, Robin Hill, Coolgreaney Road, Arklow, (4) Sandra Hall, Tal, Coolgreaney Road, Arklow, (5) John Paul Avenue Residents Association, c/o Noel Lacey, 24 John Paul Avenue, Arklow, and (6) Kevin Wood, 9 Coolgreaney Park, Arklow.

3.4.2. Representations were also made on the application by: (1) Cllr. Pat Fitzgerald and Cllr. Pat Kennedy (joint submission) and (2) Cllr. Pier Leonard.

3.4.3. The issues which are raised can be summarised as follows: (1) congestion on Coolgreaney Road on foot of student car parking; (2) John Paul Avenue, Marian

Villas, John Villas and St. Peter's Place should not be used as drop-off zones for students; (3) the proposal would interfere with emergency vehicle access; (4) proposed pedestrian/cycle access from John Paul Avenue would impact on recreational area within the estate and should be removed; (5) additional traffic in adjoining estates at school drop-off and pick-up times; (6) additional electric vehicle charging points required; (7) proposed planting and landscaping should be in accordance with the All-Ireland Pollinator Plan; (8) inaccurate site notice; (9) adjoining property excluded from the shadow plan analysis; (10) overlooking, overshadowing and loss of privacy impacts to adjoining residential properties; (11) insufficient detail on lighting plan; (12) surface water flooding of adjoining residential site on foot of development within the school site; (13) insufficient details on boundary treatments; (14) insufficient details on storage structure adjacent to site boundary; (15) construction hours should be limited to avoid impacts on adjoining residential areas; (16) loss of mature trees; (17) improved pedestrian access to the school not welcomed by people living in the area; (18) existing double yellow lines on either side of the school on Coolgreaney Road are not adhered to; (19) concerns regarding existing yard rebuild and new side yard; (20) new boundary walls should be 2 m from ground level; (21) noise impacts from heat pumps, ESB substation and gas storage area; (22) safety concerns regarding location of gas storage area; (23) excessive scale of development relative to adjoining residential property; (24) hedgerow between house nos. 1 – 12 Coolgreaney Park and the school boundary should not be removed; (25) the proposed erection of 2.4 m paladin fence between Coolgreaney Park and the school should not be permitted; (26) no footpath to the school should be permitted from John Paul Avenue.

- 3.4.4. Two further submissions were made by Chris Cooke, Robin Hill, Coolgreaney, Arklow on 15th September 2023 and 27th September 2023. The points raised can be summarised as follows: (1) continued concerns regarding the security and noise impacts of the ESB meter box; (2) safety concerns regarding location of gas storage facility; (3) noise impacts from heat pumps; (4) overlooking and privacy impacts; (5) increased noise and disruption; (6) significant devaluation of property values; (7) traffic impacts.

4.0 Planning History

- 4.1. **Planning Authority Reg. Ref. 17/951:** Planning permission granted on 18th October 2017 to erect 2 no. temporary classrooms.
- 4.2. **Planning Authority Reg. Ref. 12/610017:** Planning permission granted on 30th July 2012 to erect 4 no. classrooms to the rear of the school.
- 4.3. **Planning Authority Reg. Ref. 10/610021:** Planning permission granted on 10th August 2010 to replace the existing flat roof to GP hall with pitched roof and provision of stores to side of GP hall.

5.0 Policy Context

5.1. Wicklow County Development Plan 2022-2028

5.2. Education and Development

- 5.2.1. **Objective CPO 7.10:** To facilitate the provision of schools, by zoning suitable and adequate land in local plans, capable of meeting the demands of the projected population. Prior to the identification of lands for primary and secondary school provision, the Planning Authority shall consult with the Forward Planning and Site Acquisition and Management Sections of the Department of Education.
- 5.2.2. **Objective CPO 7.11:** To ensure that lands zoned for and sites selected for educational development are highly accessible, pedestrian, cycle and public transport friendly locations.
- 5.2.3. The development and design standards for new educational facilities are set out in Section 7.3 of Appendix 1 of the development plan. Car and bicycle parking standards for schools are set out in tables 2.3 and 2.4 of appendix 1 respectively.

5.3. Arklow and Environs Local Area Plan 2018-2024

5.4. Land Use Zoning

- 5.4.1. The site is subject to a “CE – Community & Education” land use zoning which has the objective “to provide for civic, community and educational facilities”. The Planning Authority will determine each proposal on its merits and will only permit uses that enhance, complement, are ancillary to, or neutral to the zoning objective.

- 5.4.2. The site is also located within a 1,000 m buffer of a Seveso site (Sigma Aldrich facility on the Vale Road).

5.5. **Heritage**

- 5.5.1. A recorded monument is located within the site WI040-061 (Battlefield).

5.6. **Transportation and Movement**

- 5.6.1. **Objective IT3:** To promote and encourage the “Safer Routes to School” and the Green Schools Programme within Arklow and to liaise with all relevant Departments/agencies involved in the operation of the programme.
- 5.6.2. **Objective IT4:** To facilitate the improvement of the town’s road hierarchy to distribute vehicular traffic on appropriate distributor routes whilst minimising the number of car trips through the town centre. In particular improved junctions and links on the Wexford Road, Emoclew Road, Coolgreaney Road and Abbey Street-Yellow Lane.
- 5.6.3. **IT8:** To facilitate the operation and free flow of traffic in a safe manner in particular in the town centre and in locations proximate to schools, health and community facilities, by appropriately controlling car parking at such locations.

5.7. **Natural Heritage Designations**

- 5.7.1. None.

5.8. **EIA Screening**

- 5.8.1. Class (10)(b)(iv) of Schedule 5, Part 2 of the Planning and Development Regulations 2001 (as amended) provides that mandatory EIA is required for the following classes of development:
- “Urban development which would involve an area greater than 2 ha in the case of a business district, 10 ha in the case of other parts of a built-up area and 20 ha elsewhere. (In this paragraph, “business district” means a district within a city or town in which the predominant land use is retail or commercial use)”.
- 5.8.2. It is proposed to demolish the existing school buildings and construct new school buildings with a combined floor area of 7,560 m² on an urban site with a stated area

of 2.46 ha. The site is located within an existing built-up area but not in a business district and therefore, is well below the applicable threshold of 10 ha.

- 5.8.3. The redevelopment of the existing educational facilities would have no adverse impact in environmental terms on surrounding land uses. The site is not designated for the protection of the landscape or of natural heritage and the proposed development is not likely to have a significant effect on any European site. There is one recorded monument on the site (RMP WI040-061 Battlefield). An archaeological impact assessment and licensed test excavations have been undertaken and did not identify any features, finds or deposits of archaeological significance. Topsoil stripping for the proposed development will be monitored by a suitably qualified archaeologist and an appropriate mitigation strategy shall be implemented if any archaeology is identified. As such, no adverse impacts on cultural heritage are anticipated.
- 5.8.4. The proposed development would not give rise to waste, pollution or nuisances that differ from that arising from the existing school development or other urban developments in the neighbourhood. It would not give rise to a risk of major accidents or risks to human health. The proposed development would use the public water and drainage services of Uisce Éireann and Wicklow County Council, upon which its effects would be marginal.
- 5.8.5. I have concluded that, by reason of the nature, scale and location of the subject site, the proposed development would not be likely to have significant effects on the environment, and that on preliminary examination, an environmental impact assessment report for the proposed development was not necessary in this case.

6.0 The Appeal

6.1. Grounds of Appeal

- 6.1.1. A third-party appeal against the Planning Authority's decision has been lodged by Christopher & Shelley Cooke, Robin Hill, Coolgreaney Road, Arklow, Co. Wicklow. The appellants' property is adjoined by the school lands to the east, south and west. The grounds of appeal can be summarised as follows:

- The redevelopment of the site is not opposed.

- The proposed development will have adverse impacts with respect to overlooking, encirclement of the appellants' property by foot, cycle and motorised traffic.
- Negative impact on property values.
- Size and scale of the proposed development.
- Construction noise impacts and noise impacts from location of heat pumps.
- Safety concerns relating to location of ESB substation to the rear of the appellants' property and the location of the gas storage facility.
- Security of electricity meter and waste pipes.

6.1.2. The appeal includes copies of the appellants' submissions on the planning application and a copy of the Planning Authority's decision.

6.2. **Applicant Response**

6.2.1. A response to the appeal was submitted by the applicant's agent on 8th December 2023 which can be summarised as follows:

- The proposed school building provides a greater set-back to the appellants' property than the existing development, with a separation distance of c. 45 m arising between the nearest point on the front wall of the new school and the rear wall of the appellants' property.
- The proposed separation distance is sufficient to ensure the appellants' privacy is maintained.
- The mature hedging to the rear of the appellants' property, combined with the level difference and the increased height of the boundary wall, will assist in screening the proposed school building.
- The proposal has been carefully designed to provide a compact form of development while providing additional capacity to meet the school's needs.
- A detailed CEMP will be developed before works commence on site which will include best practice construction measures including in relation to noise and hours of construction.

- The new internal road layout has been introduced to improve circulation within the site and on Coolgreaney Road. Noise disturbance from car users at the site will be significantly reduced by the proposed development.
- Noise levels from the plant associated with the operation of the proposed development have been found to be within acceptable levels. Noise levels at the operational school will not increase on foot of the proposed development.
- There will be minimal disturbance to adjoining properties during the construction and operation of the proposed development.
- The proposed ESB substation will be provided in a dedicated building with sound insulation and its overall impact will be negligible. The gas storage area will have no noise emitting sources.
- The location of the ESB substation and gas storage facility were chosen to ensure appropriate access for maintenance and servicing. This location complies with current ESB and GNI standards, including guidance on separation distances from residential properties.
- A noise barrier has already been proposed around the heat pumps to ensure noise levels at nearby sensitive locations are within acceptable limits.
- The appellants' property is currently attached to the school building and will become a detached dwelling on foot of the proposed development. The foul sewer which currently serves the school and the appellants' property will also be separated. It has also been agreed to increase the height of the eastern boundary wall from 1.8 m to 2 m in the interests of privacy and security. The applicant will also provide a new roof to the yard on the eastern side of the appellants' property. The ball courts will also be moved from their current location directly to the rear of the appellants' property.
- The proposed development will improve the appellants' property from a maintenance, privacy, separation and amenity perspective.
- The arrangements in relation to the appellants' electricity meter will not change on foot of the proposed development. The meter will be housed in a standard secure box and will be in a visible public location.

- Waste pipes will be located securely underground in the school grounds to Uisce Éireann specifications.

6.3. **Planning Authority Response**

6.3.1. None received.

6.4. **Observations**

6.4.1. None.

7.0 **Assessment**

7.1. Having examined the application details and all other documentation on file, including the submission received in relation to the appeal, the reports of the local authority, and having inspected the site, and having regard to the relevant local planning policies and guidance, I consider that the substantive issues to be considered in this appeal are as follows:

- Impact on Appellants' Property
- Appropriate Assessment

7.2. Each of these issues is addressed in turn below.

7.3. **Impact on Appellants' Property**

7.3.1. The appellants reside at "Robin Hill", a 2-storey former monastery which is now in residential use, and which is partially attached to the 2-storey school building at the front of the site via a single-storey, covered store. The school grounds wrap around this property along its eastern, southern and western boundaries. The appellants state that they do not oppose the redevelopment of the site but have raised concerns regarding the potential negative impact of the proposed development on their property. Each of these concerns is addressed in turn below.

- **Overlooking**

7.3.2. The appellants submit that the proposed development will overlook their property and note the size and scale of the development. In response, the applicant's agent submits that the new school building will provide a greater set-back than the existing

development, with the separation distance arising from the new school building being sufficient to maintain privacy. It is also submitted that the mature hedging to the rear of the appellants' property, combined with the level difference and the increased height of the boundary wall, will assist in screening the proposed school building.

- 7.3.3. In considering the foregoing, I note that the existing cluster of school buildings directly adjoins the eastern boundary of the appellants' property and wraps around its rear/southern boundary. It is proposed to redevelop the site such that the new school buildings will be positioned further south within the appeal site.
- 7.3.4. The proposed school buildings extend up to 3 storeys in height, being 3-storeys to the rear of the appellants' dwelling. The Site Plan drawing submitted at Further Information stage indicates that a separation distance of 44.8 m will arise between the rear elevation of the appellants' property and the front elevation of the new school building. In my opinion, this is a generous separation distance in an urban context, and I do not consider that any undue overlooking of the appellants' property would arise on foot of the proposed development, notwithstanding the increased building height on the site. I also note the mature hedging which extends inside the southern boundary of the appellants' property, which will further assist in screening the proposed development.
- 7.3.5. Having regard to the foregoing, I am satisfied that the overlooking concerns which have been raised by the appellants in relation to overlooking are without substance.

- **Traffic Impacts**

- 7.3.6. The appellants also submit that their property will be encircled by foot, cycle and motorised traffic. In response, the applicant's agent submits that the new internal road layout has been introduced to improve circulation within the site and on Coolgreaney Road and that noise disturbance from car users at the site will be significantly reduced by the proposed development.
- 7.3.7. The applicant's planning report states that the existing school includes 32 no. car parking spaces. These are arranged across the front of the site and along the south-eastern boundary towards the rear of the site. A one-way vehicular route is proposed through the site, with the entrance located in the north-eastern site corner at Coolgreaney Road and the exit located within the same boundary on the western side of the appellants' property. While the planning application originally proposed a

parents set-down area adjacent to the internal entrance plaza, this was omitted in response to item no. 2 of the Planning Authority's Further Information Request. A gated pedestrian entrance is also proposed from Coolgreaney Road, adjoining the eastern boundary of the appellants' property. The proposed school bicycle parking adjoins the southern boundary of the appellants' property.

- 7.3.8. I acknowledge that pedestrian, cyclist and vehicular activity will arise within the appeal site on foot of the proposed development. However, these movements will primarily be concentrated at arrival and departure times during the school day, with little / no such activity taking place during school holidays and on weekends. Given that the site already accommodates a secondary school development, and having regard to the location of the site on zoned urban land, close to the town centre of Arklow, I consider that the pedestrian, cycle and vehicular movements which will arise, would have no undue negative impact on the residential amenity of the appellants' property.

- **Noise Impacts / Safety Concerns**

- 7.3.9. The appellants have raised concerns in relation to noise impacts arising during the proposed demolition and construction works. Concerns are also raised in relation to noise impacts and safety issues arising from the location of the ESB substation, the gas storage facility and the heat pumps.
- 7.3.10. In considering the potential for noise impacts to arise during the demolition and construction phases of the proposed development, I note that such impacts are typical of any development project. The planning application is accompanied by a Outline Construction and Environmental Management Plan, which sets out the intended strategy and measures to manage the implementation of the development on the site including in relation to noise and working hours. As is standard practice, a final version of this plan can be agreed with the Planning Authority prior to the commencement of development. This matter can be agreed by condition should the Board decide to grant planning permission in this instance.
- 7.3.11. In considering the appellants' noise/safety concerns in relation to the location of the ESB substation, gas storage facility and heat pumps, I note that the noise assessment of the ESB substation concludes that the noise impact from this item of plant will be negligible. The applicant has also confirmed that the gas storage unit

has no noise emitting sources. A noise barrier is also proposed around the heart pumps to ensure that noise levels at nearby sensitive locations are within acceptable limits. The applicant has also confirmed that the location of the ESB substation and gas storage facility complies with current ESB and GNI standards, including guidance on separation distances from residential properties.

7.3.12. Having regard to the foregoing, I am satisfied that these issues have been satisfactorily addressed during the course of the planning application and that no undue noise impacts or safety concerns arise with respect to the appellants' property on foot of the proposed development.

- **Impact on Services Infrastructure**

7.3.13. The appellants' ESB meter box and domestic wastewater pipes are located on the eastern side of their property and are accessible from within the school grounds. The appellants have raised concerns regarding the security of the meter and waste pipes. The applicant's agent submits that the current arrangements in relation to the electricity meter will not change on foot of the proposed development, which will be housed in a standard secure box in a visible public location. The waste pipes will be located securely underground in the school grounds to Uisce Éireann specifications. The applicant has confirmed that there will be continued access to the ESB meter box and services, with the school being responsible for the future maintenance of this area, as it remains within their legal ownership.

7.3.14. Having regard to the existing arrangements in relation to these site services, and given that the applicant has confirmed there will be continued access and maintenance to these services, I am satisfied that no negative impacts will arise with respect to the security of these services.

- **Negative impact on property values.**

7.3.15. The appellants contend that the size and scale of the proposed development will severely impact the value of their property and their ability to conduct a fair sale in the future. In response, the applicant's agent submits that the proposed development will improve the appellants' property from a maintenance, privacy, separation and amenity perspective.

- 7.3.16. In my opinion, this point of appeal is without merit. The existing school building is attached to the eastern elevation of the appellants' property by way of a single-storey structure. This structure will be removed, and improvements made to the appellants' property on foot of the proposed development. The existing school buildings, which are currently located directly beside the eastern and southern boundaries of the appellants' property, will be demolished and moved further away within the appeal site, with increased separation distances arising. The proposed school development will comprise a modern, coherently designed educational building, compared with the existing cluttered building forms within the site, which have been implemented in a piecemeal manner and are somewhat dilapidated in appearance.
- 7.3.17. Having regard to the foregoing, and to the existing built context of the appellants' property and the existing school buildings, I consider that the proposed development will improve the character and appearance of the appeal site and would not have an impact on the value of the appellants' property.

7.4. Appropriate Assessment Screening

- 7.4.1. I have considered the proposed demolition and redevelopment of the school buildings and associated facilities at Arklow CBS in light of the requirements of S177U of the Planning and Development Act, 2000 (as amended). The subject site is located in an urban area within the town of Arklow and is located at minimum separation distances of between approx. 5 – 12 km from the nearest European sites at Buckroney-Brittias Dunes and Fen SAC (site code: 000729), Kilpatrick Sandhills SAC (site code: 001742) and Slaney River Valley SAC (site code: 000781). The nearest SPA (Wicklow Head SPA – site code: 004127) is located approx. 21 km to the northeast of the appeal site.
- 7.4.2. The proposed development comprises, inter alia, the demolition of the existing 2-storey school building and single-storey extensions and the removal of temporary classrooms and the construction of a 3-storey school building, upgraded/new vehicular entrances, car and bicycle parking, external play and amenity areas, landscaping, boundary treatments, site drainage and all other site development works (see section 2.0 of this report for description of development).
- 7.4.3. There are no watercourses within the site, with the nearest EPA mapped watercourse being the Avoca watercourse which is located approx. 330 m to the

northeast of the site. No faunal species or evidence of any faunal species associated with any European sites are recorded within the appeal site. No habitats listed under Annex 1 of the EU Habitats Directive were identified within the site boundary. None of the habitats on site provide supporting habitat for any QI/SCI species associated with any nearby European sites. No nature conservation concerns were raised in the planning appeal.

7.4.4. Having regard to the nature, location and scale of the project, I am satisfied that it can be eliminated from further assessment as there is no conceivable risk to any European site. The reason for this conclusion is as follows:

- The existing educational use of this urban site; and,
- The separation distances arising to the nearest European sites and the lack of any connections, hydrological or otherwise, to such sites.

7.4.5. I note that this reflects the screening determination of Wicklow County Council.

7.4.6. I conclude on the basis of objective information, that the proposed development would not have a likely significant effect on any European site, either alone or in combination with other plans or projects. Likely significant effects are excluded and therefore Appropriate Assessment (stage 2) under section 177V of the Planning and Development Act, 2000 (as amended) is not required.

7.5. Conclusion

7.5.1. The site is zoned for community and educational purposes and already accommodates a secondary school development. As such, the principle of the development is already long-established on the appeal site. The demolition and redevelopment of the school buildings is required to facilitate additional student numbers. Having considered the planning application, including the information submitted by the applicant at Further Information stage, I am satisfied that the scale and nature of the development would be appropriate on the subject site, would provide enhanced educational facilities for existing and future students, and would have no undue negative impact on any adjoining property.

7.6. Note

- 7.6.1. Table 5.1 of the Wicklow County Council Development Contribution Scheme 2021 states that facilities which are exempt from planning fees as outlined in Article 157 (1)(a) – (c) of the Planning and Development Regulations, 2001 (as amended) are exempt from the requirement to pay development contributions. As such, in the event the Board grants permission for the proposed development, I recommend that a development contribution condition should not be attached to the decision.

8.0 Recommendation

- 8.1. I recommend that planning permission be granted for the proposed development.

9.0 Reasons and Considerations

- 9.1. Having regard to the “CE – Community and Education” land use zoning which applies to the site under the provisions of the Arklow and Environs Local Area Plan 2018-2024, the existing educational development on the site, the site size and its location within an urban area, it is considered that subject to its compliance with the conditions set out hereunder, the proposed development would facilitate an appropriate redevelopment and expansion of the existing school facilities and would have no undue negative impact on any adjoining property or the amenities of the area, and would therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

1.	The development shall be carried out and completed in accordance with the plans and particulars lodged with the application, as amended by the further plans and particulars submitted on the 26 th day of September 2023, 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
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	<p>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 developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the site. In this regard, the developer shall:</p> <p>(a) notify the Planning Authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,</p> <p>(b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and</p> <p>(c) provide arrangements, acceptable to the Planning Authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.</p> <p>In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.</p> <p>Reason: In order to conserve the archaeological heritage of the site and to secure the preservation and protection of any remains that may exist within the site.</p>
3.	<p>The construction of the development shall be managed in accordance with a Construction and Environmental Management Plan (CMP), 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 hours of working, noise and dust management measures, traffic management measures, construction lighting and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interest of public safety and residential amenity.</p>
4.	<p>(a) The final details of the one-way traffic system, including details of how this system will operate and be managed to ensure school grounds/parking areas are accessed by staff only and not permitted for student set down,</p>

	<p>shall be submitted and agreed in writing with the Planning Authority prior to the commencement of development.</p> <p>(b) Prior to the occupation of the development, a Stage 3 Road Safety Audit including a Final Audit Report, shall be submitted. Where the audit identifies the need for design changes, revised design details shall be submitted and agreed in writing with the Planning Authority and the developer shall carry out all works in accordance with the revised design details.</p> <p>Reason: In the interest of traffic safety.</p>
5.	<p>The landscaping scheme shown on Drawing No. 1000 (General Arrangement Plan), as submitted to the Planning Authority on the 26th day of September 2023, shall be carried out within the first planting season following substantial completion of external construction works.</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> <p>Reason: In the interest of residential and visual amenity.</p>
6.	<p>Water supply and drainage arrangements, including the 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>
7.	<p>Prior to the commencement of development, the developer shall enter into water and waste-water connection agreements with Uisce Éireann.</p> <p>Reason: In the interest of public health.</p>
8.	<p>Site development and building works shall be carried out only between the hours of 0800 to 1800 Mondays to Fridays inclusive, 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from</p>

	<p>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>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Louise Treacy
Senior Planning Inspector

31st May 2024

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	318443-22			
Proposed Development Summary	Demolition of the existing two-storey school building and single-storey extensions and removal of temporary classrooms on site and the construction of a three-storey school building and all associated site development works.			
Development Address	Arklow CBS, Coolgreaney Road, Arklow, Co. Wicklow.			
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X	
		No		
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?				
Yes			EIA Mandatory EIAR required	
No		X	Proceed to Q.3	
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?				
		Threshold	Comment (if relevant)	Conclusion
No		N/A		No EIAR or Preliminary Examination required
Yes		Class (10)(b)(iv) of Schedule 5, Part 2		Proceed to Q.4

4. Has Schedule 7A information been submitted?

<input checked="" type="radio"/> No		Preliminary Examination required
Yes		Screening Determination required

Inspector: _____

Date: _____

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	318443-22	
Proposed Development Summary	Demolition of the existing two-storey school building and single-storey extensions and removal of temporary classrooms on site and the construction of a three-storey school building and all associated site development works.	
Development Address	Arklow CBS, Coolgreaney Road, Arklow, Co. Wicklow.	
The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.		
	Examination	Yes/No/ Uncertain
Nature of the Development Is the nature of the proposed development exceptional in the context of the existing environment? Will the development result in the production of any significant waste, emissions or pollutants?	No. The subject site is located within the existing built envelope of the settlement of Arklow and already accommodates a school development. A further school development is located on the opposite side of Coolgreaney Road. The site is adjoined by existing residential developments. No. The removal of topsoil and C&D waste can be managed through an agreed Construction and Environmental Management Plan. Localised construction impacts will be temporary.	No No
Size of the Development Is the size of the proposed development exceptional in the context of the existing environment? Are there significant cumulative considerations having regard to other existing	No. The proposed development would increase the size of the existing school facilities to facilitate an increased student enrolment. The size of the development would not be exceptional in the context of the existing urban environment. No. There are no significant permitted developments in the immediate vicinity of the site.	No No

and/or permitted projects?		
<p>Location of the Development</p> <p>Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>No. An AA screening exercise has been undertaken which has concluded that the proposed development does not have the potential to have significant impacts on any European sites.</p> <p>No</p>	<p>No</p> <p>No</p>
Conclusion		
<p>There is no real likelihood of significant effects on the environment.</p> <div style="border: 1px solid black; border-radius: 50%; padding: 5px; width: fit-content;">EIA not required.</div>	<p>There is significant and realistic doubt regarding the likelihood of significant effects on the environment.</p> <p>Schedule 7A Information required to enable a Screening Determination to be carried out.</p>	<p>There is a real likelihood of significant effects on the environment.</p> <p>EIAR required.</p>

Inspector: _____

Date: _____

DP/ADP: _____ Date: _____

(only where Schedule 7A information or EIAR required)