



An
Bord
Pleanála

Inspector's Report ZE0003.

Development

Amendments to the Grangegorman Planning Scheme 2012 comprising an increase in the size of the designated primary school from 16 no. to 24 no. classrooms.

Location

Grangegorman, Dublin 7.

Planning Authority

Dublin City Council

Applicant(s)

Grangegorman Development Agency

Type of Application

Amendment to an SDZ.

Inspector

Gillian Kane

1.0 Introduction

- 1.1.1. Dublin City Council on behalf of the Grangegorman Development Agency have applied to the Board to request an amendment to the Grangegorman Planning Scheme 2012.
- 1.1.2. The proposed amendment will allow for an increase in the size of the designated primary school from the permitted 16 no. classrooms to 24 no. classrooms. The applicant states that the increase is necessary to address the demand for school places in the temporary school operating on the subject site. The applicant notes that the permitted 380,000sq.m. floorspace permitted in the planning scheme will not increase as the additional educational floorspace will displace healthcare floorspace no longer required by the HSE. The Board is requested to approve the amendments to the planning scheme as the proposal is in accordance with the proper planning and sustainable development of the area.
- 1.1.3. The application is accompanied by the following:
 - Planning report
 - Preliminary AA Screening Report
 - Traffic Assessment
 - Letter from the Development Agency to are committee councillors
 - D7 Schools Catchment Report

2.0 The Application

- 2.1.1. The Applicant requests that the planning scheme be amended as follows:

Chapter 4, pg. 50 Education Uses: A designated site for a Primary School has been identified in Zone 2a. The primary school will comprise in the order of 24 classrooms with ancillary special education rooms. The primary school will replace the temporary school (permitted under reg. ref. 4291/08) located elsewhere on the site and which was subsequently extended to September 2017 under planning reg. ref. GSDZ3263/14.

Table 5.1 Development Proposals, Chapter 5, pg. 3: A primary school for approx. c.750-770 pupils and with specific provision for special needs pupils is to be developed on the site and operated by the Educate Together body. The school currently occupies a temporary building on the Grangegorman site which opened in

2009 and which was subsequently extended to September 2017 under planning reg. ref. GSDZ3263/14.

2.1.2. The proposed amendment would involve the following changes to the Planning Scheme:

- **Table 4.1** 'Overview of Development' of Chapter 4 would show the quantum of development revised as follows: healthcare and related development reduced from 42,000sq.m. to 39,600 sq.m. The approximate quantum of development deliverable without significant transport upgrades would reduce from 27,000 to 24,600sq.m. Public bodies development would increase from 8,000sq.m. to 10,400sq.m. No change to approximate quantum without transport upgrades. The overall total of 380,000sq.m. would remain.
- **Figure 4.32** 'Overview of Land Use Zones' Chapter 4, pg 68, amended to show part of the lands previously zoned as 1A Healthcare, now zoned as 2A Educational Use.
- **Figure 4.33** 'Location of Library and Primary School' Chapter 4, pg 51: red circle area identifying the primary school amended to show a green outline on the school site.
- **Table 5.2** 'Transportation Demand' chapter 5, pg 17, the table outlining person trips during peak period amended to show 188 arrivals and 45 departures weekday AM, 34 arrivals and 205 departures weekday PM for the HSE use. The primary school use amended to show 796 arrivals weekday AM. Totals amended to 9103 arrivals, 128 departures weekday AM and 841 arrivals and 4781 departures Weekday PM.
- **Table 5.3** 'Development Plan Car Parking Calculations' chapter 5, pg 22, decreased to 18,200 floor area, DCC car parking requirement and overall car parking requirement decreased to 121no. for HSE. The school data in table 5.3. amended to increase to 5,200 floor area.
- **Table 5.4**, 'Proposed Car Parking' chapter 5, pg 22: amended to 369 allocation for HSE (three instances within the table), 24 no. spaces allocated to School and the total amended to 1,134.

- **Table 5.6** ‘Public Transport Trips’, chapter 5, pg. 24: amended to show 91 public transport trips for HSE Core Additional, and 325 trips for the primary school. *I note the submission to the Board has omitted to identify that in table 5.6 the floor area for each of the two ‘elements’ must also be changed: to 18,200sq.m. for HSE Core Additional and to 5,200sq.m. for the primary school.*
- **Table 5.5** ‘Public Transport Impacts’, chapter 5, pg 24: HSE Core additional amended to 18,200sq.m. and primary school amended to 5,200sqm.

3.0 Planning History

- 3.1. **PL29N.ZD2005**: A draft planning scheme prepared by the Grangegorman Development Agency outlining proposals for the strategic development of 28.69ha of land at Grangegorman was appealed to An Bord Pleanála. The proposed planning scheme provided for 280,000sq.m. of development based on healthcare, educational, public bodies (school, library and elderly housing) and other mixed uses. The scheme was approved by the Board, subject to modifications, on the 10th of May 2012.
- 3.2. **PL29N.ZE0001**: An application by the Grangegorman Development Agency to amend the Grangegorman planning scheme to provide for a school of 24 no. classrooms in place of the permitted 16 no. was withdrawn by the Council on behalf of the applicant.
- 3.3. Planning Authority reg. ref **4291/08**: Planning permission was granted for a temporary prefabricated two storey Primary School, (2,284 sq.m.) to accommodate 16no. classrooms and ancillary accommodation (including special education facilities; a library/resource room; a general purpose room; storage; staff offices and w.c facilities), 2 no. ball courts; a junior play area; a dedicated special needs play area; 32 no. surface car parking spaces; a vehicular set-down area; bicycle stands; bin storage area; a 2.4m high palladin perimeter fence and all associated landscaping works, internal circulation roads and paths. The proposed development included the reopening of a historic vehicular entrance and a pedestrian access (to the north of the vehicular entrance) through the perimeter wall (a Protected Structure) to Fitzwilliam Place North and the temporary removal, repair and reinstatement of the wall and pier (a protected Structure) at Morning Star Avenue to

provide adequate emergency access clearance distance between piers. New gates are proposed at vehicular and pedestrian accessed at both entrances. The board decided on appeal (**PL29N.231894** refers) that financial contribution conditions no. 11 and 12 should be removed on the grounds that the development was undertaken by a voluntary body for educational purposes.

- 3.4. Reg. Ref. **GSDZ3263/14**: Retention planning permission was granted for the D7 Educate Together National School until October 2017 (three years from the date of the grant of permission, condition no. 2 refers.)

4.0 **Statutory Provisions**

- 4.1.1. The process whereby amendments to a planning scheme for an SDZ can be made is set out in Section 170A of the Planning and Development Acts 2000-2015.
- 4.1.2. Under section 170A, the Board is required to make a decision as to whether the making of the amendment to which the request relates would constitute the making of a **material change** to the planning scheme (section 170(A)(2) refers). This is the first test.
- 4.1.3. Following the decision of materiality, the Board is required to make a decision under subsection 4(a) or 4(b) of section 170A – the second test.
- 4.1.4. **Subsection 4(a)** is where the Board determines that the making of the amendment to the planning scheme concerned is “a change of a minor nature” and one which is “not likely to have significant effects on the environment within the meaning of Annex II of Directive 2001/42/EC or on a European site”. Where such a determination is reached the Board may approve the making of the amendment to the planning scheme and notify the Planning Authority.
- 4.1.5. Where the Board has decided under sub-section 2 that the proposed amendment¹ is a material change, **subsection 4(b)** is triggered. Under subsection 4(b), the Board may approve the making of the amendment provided that it fails to satisfy four

1.1.1. ¹ Under subsection 4(b) the Board can also approve an alternate amendment to the proposed scheme which in the opinion of the Board does not represent a more significant change than which was proposed.

criteria set out in subsection 3(b)². Should the Board decide that the proposed amendment does not fail to satisfy 3(b), it shall require the Planning Authority to amend the planning scheme in accordance with the procedures of section 169 of the Act.

- 4.1.6. The Board must screen the proposed amendment in order to establish whether or not the extent and character of the proposed amendment (or any alternative amendment) would be such that “it would be likely to have significant effects on the environment within the meaning of Annex II of Directive 2001/42/EC or on a European site”. (subsection 5 refers).
- 4.1.7. Before making a determination under subsection 4(b), the Board shall require the Planning Authority to advise of the proposed amendment by way of a notice to the Minister and the prescribed authorities. Sub-section 7 outlines the requirements of the notice and that after 8 weeks the Planning Authority shall submit a report based on the above to the Board.
- 4.1.8. The report prepared under subsection 7, the criteria listed in subsection 3(b) and the screening undertaken under subsection 5 are then used by the Board to arrive at a determination under subsection 4(b).
- 4.1.9. Subsection 6 provides that the options available to the Board under subsection 4(b) at this point are as follows:
- The proposed amendment *is not likely* to have significant effects: the Board shall proceed to make a determination under subsection 4(b)
 - the proposed amendment *is likely* to have significant effects: the Board shall require the Planning Authority to undertake an SEA and /or an AA of the proposed amendment.
- 4.1.10. Subsection 11 provides that that subject to any SEA and / or AA obligations, if the Board has determined to make the proposed amendment or its alternative, then the planning scheme shall be so amended and the Planning Authority notified

²170A(3)(b)(i) would not constitute a change in the overall objectives of the planning scheme concerned, (ii) would not relate to already developed land in the planning scheme, (iii) would not significantly increase or decrease the overall floor area or density of proposed development, and (iv) would not adversely affect or diminish the amenity of the area that is the subject of the proposed amendment

accordingly. If subsection 7 was invoked, all those who made submissions shall likewise be notified.

5.0 Assessment

5.1. Test under 170A(2): Is the proposed amendment a material change?

- 5.1.1. Chapter 4, page 50 of the planning scheme as confirmed by the Board provided for a 16 room primary school with ancillary special education rooms. The permitted school provides for approx. 460-490 pupils, would be operated by the Educate Together body on a site of 0.35ha and with a floor area of 2,800sq.m.
- 5.1.2. The proposed amendment provides for a 24 room school with a floorspace of 5,200sq.m. and accommodating 750-770 no. pupils, on a site of 0.73ha. The school site along the northern boundary of the SDZ, identified for the permanent school is stated by the applicant to be too confined to accommodate a 24 room school without significantly compromising sunlight, daylight, play spaces and organisation of space. The proposed amended school site extends to the north-west, incorporating lands identified for healthcare use. The submission by the applicant states that the additional educational floorspace will displace healthcare floorspace no longer required and therefore the overall planning scheme floorspace of 380,000sq.m. will not change. Further, the car parking provision of the scheme will remain at 1,150 spaces. The net increase in car parking to be provided to the school (from 16 no. to 24 no. spaces) will be allocated from elsewhere within the overall car parking quantum.
- 5.1.3. The planning report submitted with the application provides that the increase from a 16 no. classroom to a 24 no. classroom would involve the following:
- Change in school site area: from 0.35ha to 0.73ha
 - floor area increase from 2,800sq.m. to 5,200sq.m.
 - increase in student numbers from 460-490 to 750-770no.
 - car parking: increase from 16 to 24 no. (corresponding decrease from 385 to 369 spaces for the HSE).
- 5.1.4. A school provision report was submitted with the current application. The report states that additional capacity is required at primary level to cater for projected

demand in the area and that demand is growing for co-educational non-denominational schools. The comprehensive report provides details on projected population growth in the area and existing school capacity and patronage. The conclusion of the report is that the emerging trend of a move away from single sex religious schools will continue and that given the predicted population growth in the Cabra / Phibsborough / Dublin 7 area, the proposed Educate Together in Grangegorman represents an opportunity to cater for such a demand. A Capacity Report undertaken by the Department of Education and Skills (appendix to the school provision report) states that there is a “clear requirement for eight additional classrooms to be provided at Dublin 7 ETNS, bringing this school from a 16 classroom to a 24 classroom school”.

- 5.1.5. As shown on the amended table 4.1 the overall quantum of development at the permitted 380,000sq.m. does not change. The increase in public body uses (from 8,000sq.m. to 10,400sq.m.) is directly matched by a corresponding decrease in healthcare uses (from 42,000sq.m. to 39,600sq.m.). In terms of the quantum of development there is no change.
- 5.1.6. The transport assessment submitted with the application states that the increase in school classroom numbers would result in a projected attendance of 753 students and 44 staff (total 807 no.) and therefore an additional 269 people travelling compared to the approved 16 no. classroom. The modal split of the students currently travelling to the temporary school is heavily weighted in favour of sustainable modes of transport (65%). The assessment states that a similar result is to be expected in the larger school site. In terms of traffic impact, the amended table 5.2 shows an increase in weekday AM arrivals (from 8,808 to 9,103) but a reduction in weekday PM departures (from 134 down to 128) and weekend arrivals and departures (from 845 to 841 and 4808 to 4781 respectively). Overall, person trips will increase by 295 on weekday mornings but will decrease by 35 trips at all other times. In terms of public transport, the proposed amendment will reduce trips to the HSE Core Additional by 12 no. and increase trips to the primary school by 220 no. (table 5.6 refers). Overall car parking provision in the SDZ will reduce by 16 no. spaces. The proposed amendment would involve relatively small changes in person trips to the site, an increase in public transport and a reduction in car parking.

5.1.7. I am satisfied that these changes are minor in nature and would not lead to a material change in the planning scheme approved by the Board.

5.2. Test under subsection 4

5.2.1. The tests under section 170A(4) of the Act are whether the proposed amendment would have significant effects on the environment or on a European Site.

5.2.2. An SEA screening report on the proposed amendment was submitted to the Board with the application. The report assesses the proposed increase in classroom numbers against the criteria set out in Annex II of Directive 2001/42/EC. The report finds that the proposed amendment will provide a single sustainable location for a primary school rather than a fragmentation of the facilities and will contribute to the positive development of the area. Noting that neither the overall quantum of development nor the permitted mix of uses will change, the report states that the characteristics of the proposed amendment are such that there will be no significant negative effects of a strategic nature. Likewise, the report states that the scale of the proposed change is such that no cumulative effects are predicted, no transboundary effects or any risks to human health or the environment are predicted. While subject site does not form part of a Natura 2000 site or other designated area and has no landscapes of a recognised national, EU or international protection, the report notes that the wider Grangegorman site has a diverse architectural and historical built heritage.

5.2.3. On the basis of the information on the file, which I consider adequate to inform a screening determination, it is considered that the proposed amendment to the planning scheme, is not likely to have significant effects on the environment within the meaning of Annex II of Directive 2001/42/EC.

5.2.4. An AA screening report on the proposed amendment was submitted to the Board with the application. The report notes that the site is not in, near or proximate to a Natura 2000 site, listing all 18 no. sites within a 15km radius of the SDZ lands. The report notes that no direct impacts will occur through land take or fragmentation of habitats or species and that there will be no resource requirements (given that the proposed use replaces a permitted use). The report states that there are no likely impacts on any Natura 2000 site. The report notes that the Grangegorman planning scheme was formulated to ensure that future developments and effects arising from

the planning scheme, either individually or in combination with other plans and projects would not give rise to significant effects on the integrity of any Natura 2000 site.

- 5.2.5. On the basis of the information on the file, which I consider adequate to inform a screening determination, and having regard to the nature and scale of the proposed development, the nature of the receiving environment, and proximity to the nearest European site, no appropriate assessment issues arise and it is considered that the proposed amendment to the planning scheme would not be likely to have a significant effect individually or in combination with other plans or projects, on a European site.

5.3. Conclusion

- 5.3.1. In light of the assessment that the proposed amendment does not constitute the making of a material change to the planning scheme under section 170A(2) and that the proposed amendment is not likely to have significant effects on the environment or on a European site, it is recommended that the Board approve the proposed amendment under section 170A4(a) and notify the Planning Authority of the approval of the amendment in accordance with section 170A(11).

6.0 Recommendation

- 6.1.1. That under section 170A11 of the Planning and Development Acts 2000-2015, the Board notify the Planning Authority that subject to section 170A(4)(a) the proposed amendment to the Grangegorman SDZ, which provides for an increase in the size of the designated primary school from 16 no. to 24 no. classrooms be approved.
- 6.1.2. The Planning Scheme shall be amended to read as follows:
- **Chapter 4, pg. 50 Education Uses:** A designated site for a Primary School has been identified in Zone 2a. the primary school will comprise in the order of 24 classrooms with ancillary special education rooms. The primary school will replace the temporary school (permitted under reg. ref. 4291/08) located elsewhere on the site and which was subsequently extended to September 2017 under planning reg. ref. GSDZ3263/14.

- **Table 5.1 Development Proposals, Chapter 5, pg. 3:** A primary school for approx. c.750-770 pupils and with specific provision for special needs pupils is to be developed on the site and operated by the Educate Together body. The school currently occupies a temporary building on the Grangegorman site which opened in 2009 and which was subsequently extended to September 2017 under planning reg. ref. GSDZ3263/14.
- **Table 4.1 'Overview of Development'** of Chapter 4 shall show the quantum of development amended as follows: healthcare and related development shall be amended to 39,600 sq.m. (the approximate quantum of development deliverable without significant transport upgrades shall be amended 24,600sq.m.) and public bodies development shall be amended to 10,400sq.m. (no change to approximate quantum without transport upgrades). The overall total of 380,000sq.m. will remain.
- **Figure 4.32 'Overview of Land Use Zones'** Chapter 4, pg 68, shall be amended to show part of the lands previously zoned as 1A Healthcare, now zoned as 2A Educational Use.
- **Figure 4.33 'Location of Library and Primary School'** Chapter 4, pg 51: red circle area identifying the primary school shall be amended to show a green outline on the school site.
- **Table 5.2 'Transportation Demand'** chapter 5, pg 17, the table outlining person trips during peak period shall be amended to show 188 arrivals and 45 departures weekday AM, 34 arrivals and 205 departures weekday PM for the HSE use. The primary school use shall be amended to show 796 arrivals weekday AM. Totals amended to 9103 arrivals, 128 departures weekday AM and 841 arrivals and 4781 departures Weekday PM.
- **Table 5.3 'Development Plan Car Parking Calculations'** chapter 5, pg 22, shall be amended to 18,200 floor area, DCC car parking requirement and overall car parking requirement shall be amended to 121no. for HSE. The school data in table 5.3. shall be amended to 5,200sq.m. floor area.
- **Table 5.4, 'Proposed Car Parking'** chapter 5, pg 22: shall be amended to 369 allocation for HSE (three instances within the table), shall be amended to

show 24 no. spaces allocated to School and the total shall be amended to 1,134.

- **Table 5.6** 'Public Transport Trips', chapter 5, pg. 24: shall be amended to show 91 public transport trips for HSE Core Additional, and 325 trips for the primary school. The floor area for each of the two 'elements' shall be changed to 18,200sq.m. for HSE Core Additional and to 5,200sq.m. for the primary school.
- **Table 5.5** 'Public Transport Impacts', chapter 5, pg 24: HSE Core additional shall be amended to 18,200sq.m. and primary school shall be amended to 5,200sqm.

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24th April 2017