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**Planning and Development Acts 2000 to 2019**

**Planning Authority: Dún Laoghaire-Rathdown County Council**

**Planning Register Reference Number: D18A/0528**

**Appeal** by Gillian Carroll and Others care of 23 Beech Grove, Booterstown, County Dublin against the decision made on the 5<sup>th</sup> day of March, 2019 by Dún Laoghaire-Rathdown County Council to grant subject to conditions a permission to Saint Andrew's College Dublin CLG care of ABK Architects of 34 Lower Leeson Street, Dublin in accordance with plans and particulars lodged with the said Council:

**Proposed Development:** (1) The extension and renovation of the existing senior school, a protected structure, comprising of the removal of existing prefabricated structures, the demolition of a two-storey extension to original school, the removal of existing semi-basement changing rooms and external stairs (part of protected structure), the construction of a new two to four-storey over basement teaching block including the reconstruction of the boundary wall, modifications to school entrance along Rosemount Terrace, and associated landscape works, the construction of a new two-storey Study Centre incorporating library over lower ground floor changing facilities together with associated landscape works, internal modifications, alterations and refurbishment of the existing school (a protected structure). (2) The construction of a two-storey sports fitness building accommodating gym and

associated changing rooms together with surface car park. (3) Construction of a new Junior School to rear of number 55 Booterstown Avenue, comprising of a three-storey over-basement teaching block together with single-storey kindergarten, single-storey annexe to existing house and including alterations, renovations to number 55 Booterstown Avenue (a protected structure) together with associated landscaping and modifications to existing access road and car parking at Saint Andrew's College, Booterstown Avenue, Blackrock, County Dublin (Protected Structure) as amended by the revised public notices received by the planning authority on the 23rd day of November 2018 and the 6th day of February 2019.

## **Decision**

**GRANT permission for the above proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.**

## **Matters Considered**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included any submissions and observations received by it in accordance with statutory provisions.

## Reasons and Considerations

Having regard to the zoning and other objectives of the planning authority as set out in the Dún Laoghaire-Rathdown County Development Plan 2016-2022, which include objectives to facilitate educational development on suitable sites, and having regard to the established Junior and Senior schools on the subject site and to the nature and scale of the proposed school development, it is considered that, subject to compliance with the conditions set out below, the proposed development would be in accordance with the established use of the lands, would comply with the provisions of the Development Plan, would not seriously injure the residential amenities of property in the vicinity, would not seriously injure the visual amenities of the area and would be generally acceptable in terms of pedestrian and traffic safety. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 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 23<sup>rd</sup> day of November 2018 and the 6<sup>th</sup> day of February 2019, 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.

**Reason:** In the interest of clarity.

2. Details including samples of the materials, colours and textures of all the external finishes to the proposed development shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

3. Water supply and drainage arrangements, including the attenuation and disposal of surface water, shall comply with the requirements of the planning authority for such works and services. Details of the surface water drainage system in compliance with Sustainable Urban Drainage measures (SUDS) shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of public health and to ensure a proper standard of development.

4. Prior to commencement of development, the developer shall submit to, and agree in writing with, the planning authority a Construction Environmental Management Plan (CEMP). This shall provide for the implementation of the mitigation measures as outlined in the Natura Impact Statement (NIS), which was submitted to the planning authority on the 23<sup>rd</sup> day of November 2018, and in the clarification of further information documentation submitted on the 6<sup>th</sup> day of February 2019. Details of the monitoring programme shall also be included in the CEMP, including the frequency of monitoring visits during the construction phase(s).

**Reason:** In the interest of biodiversity and to ensure proper monitoring.

5. All temporary drainage works, as indicated in the further plans and particulars submitted to the planning authority on the 6<sup>th</sup> day of February 2019, shall be undertaken outside the appropriate wintering birds season (that is, October to March).

**Reason:** In the interest of biodiversity.

6. Detailed measures in relation to the protection of bats, which shall comply with Section 4 of the Bat Survey Report submitted to the planning authority on the 23<sup>rd</sup> day of November 2018, shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. These measures shall be implemented as part of the development.

**Reason:** In the interest of wildlife protection.

7. The proposed external lighting design shall comply with the Guidance Notes for the Reduction of Obtrusive Light GN01:2011. Prior to the commencement of use of any lighting, the developer shall submit to the planning authority written confirmation, from a suitably qualified professional, that the development complies with this standard. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, no further lighting, other than that specifically proposed as part of this application, shall be provided on the subject site without a prior and separate grant of planning permission.

**Reason:** In the interest of residential amenity and public safety, and to allow the planning authority to assess the impact of any further lighting, other than that specifically proposed as part of this application, through the statutory planning process.

8. A minimum of 10% of the proposed car parking spaces shall be provided with electrical connection points, to allow for functional electric vehicle charging. The remaining car parking spaces shall be fitted with ducting for electric connection points to allow for future fit-out of charging points.

**Reason:** In the interest of encouraging the use of sustainable modes of transport.

9. The developer shall implement the measures for achievement of the targets specified in the submitted School Travel Plan. These shall be fully implemented, monitored and reviewed under the direction of the School Travel Plan Co-ordinator, in accordance with the requirements of the planning authority. Periodic updates on achievement of targets and provision of monitoring reports shall be submitted, in accordance with an agreed timeframe, to the planning authority. If targets for modal split are not being achieved, alternative arrangements shall be agreed in writing with the planning authority.

**Reason:** In the interest of pedestrian and vehicular safety, amenity, clarity and orderly development.

10. Notwithstanding the provisions of the Planning and Development Regulations 2001, as amended, no signage, advertising structures/advertisements, including flagpoles, shall be erected within the overall site or on the proposed buildings, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area, and to allow the planning authority to assess the impact of any signage through the statutory planning process.

11. Prior to commencement of development, the developer shall enter into water and wastewater connection agreements with Irish Water.

**Reason:** To ensure proper servicing of the proposed development.

12. No additional development shall take place above roof parapet level, including lift motor enclosures, air handling equipment, storage tanks, ducts or other external plant, telecommunication aerials, antennae or equipment, other than those items that are specifically included in the documentation submitted with this application, unless authorised by a further grant of planning permission.

**Reason:** To protect the visual amenities of the area, and to allow the planning authority to assess the impacts of any such development on the visual amenities of the area and on nearby protected structures, through the statutory planning process.

13. The site shall be landscaped in accordance with a comprehensive scheme of landscaping, details of which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. The developer shall appoint and retain the services of a qualified Landscape Architect (or qualified Landscape Designer) as a Landscape Consultant, throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to commencement of development. A practical completion certificate shall be signed off by the Landscape Architect when all landscape works are fully completed to the satisfaction of the planning authority and in accordance with the permitted landscape proposals.

**Reason:** In the interest of visual amenity and to ensure full and verifiable implementation of the approved landscape design.

14. The existing tree in the south-west corner of the site (as indicated on drawing number PA721 submitted to the planning authority on the 23<sup>rd</sup> day of November 2018) shall be replaced with a semi-mature canopy tree subject to the written approval of the planning authority.

**Reason:** In the interest of environmental and visual amenity.

15. The construction of the development shall be managed in accordance with a Construction Environmental Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:-
  - (a) location of the site and material compound(s) including area(s) identified for the storage of construction refuse;
  - (b) location of areas for construction site offices and staff facilities;
  - (c) details of site security fencing and hoardings;
  - (d) details of car and bicycle parking facilities for site workers during the course of construction (which shall be located on-site and shall not be on adjoining public roads);
  - (e) details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site;
  - (f) measures to obviate queuing of construction traffic on the adjoining road network;
  - (g) measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;



- (h) alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;
- (i) details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels;
- (j) containment of all construction-related fuel and oil within specially constructed bunds to ensure that fuel spillages are fully contained. Such bunds shall be roofed to include rainwater;
- (k) off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil, and
- (l) means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Environmental Management Plan shall be kept for inspection by the planning authority.

**Reason:** In the interest of amenities, public health and safety.

16. Site development and building works shall be carried out only between 0800 to 1900 hours Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

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**Philip Jones**  
**Member of An Bord Pleanála**  
**duly authorised to authenticate**  
**the seal of the Board**

**Dated this            day of            2019**