

An
Bord
Pleanála

Board Order
ABP-310027-21

Planning and Development Acts 2000 to 2020

Planning Authority: South Dublin County Council

Planning Register Reference Number: SD20A/0296

Appeal by D. O'Brien of 5 Stonepark Abbey, Rathfarnham, Dublin against the decision made on the 1st day of April, 2021 by South Dublin County Council to grant subject to conditions a permission to the Board of Management of Loreto Grange Road (Girls) National School care of Simon J. Kelly Architects of Distillery Road, Cox's Yard, Westport, County Mayo in accordance with plans and particulars lodged with the said Council:

Proposed Development: Redevelopment at the site of existing girls national school (part of the site is in the curtilage of Loreto Abbey, a Protected Structure - RPS number 253) consisting of demolition of existing school buildings and portacabins; construction of new 3,833 square metres part three, two, and one-storey 21 classroom primary school building, connected to existing two-storey granite building which is to be refurbished; demolition of existing three-storey red brick Lourdes Nursing Home fronting Convent Lane; refurbishment of and alterations to existing Teresa Ball House with new 85 square metres extension and change of use from nursing home to educational use with three classrooms and ancillary resource teaching areas; Teresa Ball House is in the curtilage of Loreto Abbey, a Protected Structure (RPS number

253); construction of two-storey, 20 classroom temporary school prefabricated accommodation for school use during the demolition and construction works; associated vehicular drop-off, set-down and parking provisions; associated hard-surface play areas, landscaping, boundary treatments; associated surface water attenuation, foul and surface water drainage connections, site works and ancillary services, all at Loreto Primary School, Convent Lane, Grange Road, Rathfarnham, Dublin. The proposed development was revised by further public notices received by the planning authority on the 5th day of March, 2021.

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.

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Reasons and Considerations

Having regard to the residential zoning objective for the area, the established educational use on the site, and the pattern of development in the area, it is considered that, subject to compliance with the conditions set out below, the proposed development would not seriously injure the amenities of the area or of property in the vicinity, would not have a significant impact on the built environment or the character or setting of protected structures and would be 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 5th day of March 2021, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with the planning authority, the developer shall agree such details in writing with the planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The temporary prefabricated classroom accommodation proposed to be provided during the construction phase of the project shall be decommissioned and removed from the site within 12 months of the occupation of the new classroom accommodation unless its retention is permitted by a separate grant of permission.

Reason: In the interests of clarity and the protection of residential and visual amenity.

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. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority details demonstrating an increase of 17 percent in the surface water attenuation capacity provided on the site.

Reason: In the interest of public health.

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

Reason: In the interest of public health.

5. The internal road and footpath network serving the proposed development, including vehicle and cycle parking areas and footpaths, shall comply with the detailed standards of the planning authority for such road works.

Reason: In the interest of amenity and of traffic and pedestrian safety.

6. Within a maximum of six months of the commissioning and first occupation of the development, a Mobility Management Strategy shall be submitted to and agreed in writing with the planning authority. This shall provide for incentives to encourage the use of public transport, cycling, walking and car-pooling by staff and students in the development and to reduce and regulate the extent of staff parking.

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

7. Prior to commencement of development, the developer shall provide for the following:-
- (a) The appointment of a conservation expert, who shall manage, monitor, and implement works on the site which relate to the protected structure (Loreto Abbey RPS reference number 253) and ensure adequate protection of the historic fabric during those works.
 - (b) All works shall be carried out in accordance with the details specified in the Conservation Report received by the planning authority on the 17th day of November, 2020.
 - (c) The submission to the planning authority of details of all finishes and of all existing original features to be retained and reused where possible, including interior and exterior fittings/features, joinery, fenestration, plasterwork, features (cornices and ceiling mouldings), roofs, staircases including balusters, handrail, and skirting boards.

- (d) All repair/restoration works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage, and the Gaeltacht, 2011). The repair/restoration works shall retain the maximum amount possible of surviving historic fabric in-situ including structural elements, plasterwork and joinery and shall be designed to cause minimum interference to the building structure and/or fabric.

Reason: To ensure that the integrity of the historic structures is maintained and that the structures are protected from unnecessary damage or loss of fabric.

8. Prior to commencement of development, the developer shall submit to and agree in writing with the planning authority details of a bat survey of the site and immediately adjoining lands. The scope and timing of this survey shall be as agreed with the planning authority in advance and the results and recommendations submitted to the planning authority for agreement prior to commencement of development. In the event that bats are detected in structures on site, no development shall take place until such time as any necessary licences/derogations have been obtained from the National Parks and Wildlife Service.

Reason: In the interest of protection of bat species in the development.

9. A comprehensive landscaping scheme shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. This scheme shall include the following:-

- (a) details of all proposed hard surface finishes, including samples of proposed paving slabs/materials for footpaths, kerbing and road surfaces within the development,
- (b) proposed locations of trees and other landscape planting in the development, including details of proposed species and settings,
- (c) details of proposed street furniture, including bollards, lighting fixtures and seating,
- (d) details of proposed boundary treatments at the perimeter of the site, including heights, materials, and finishes, and
- (e) details of natural SuDS features,

The boundary treatment and landscaping shall be carried out in accordance with the agreed scheme.

Reason: In the interest of visual amenity.

10. A tree survey shall be carried out by an arborist or landscape architect of all on-site trees which shall provide the baseline information for the landscaping scheme required by condition number 9 of this Order. This tree survey, which shall be submitted to the planning authority prior to commencement of development, shall include the following:

- (a) A plan to scale of not less than 1:500 showing –
- (i) the location of, and allocating a reference number to, each existing tree on the site which has a stem with a diameter exceeding 75 centimetres, when measured at a point 1.5 metres above ground level,
 - (ii) the crown spread of each tree, and
 - (iii) trees proposed for retention.
- (b) A separate document detailing the following information in respect of each numbered tree –
- (i) common and scientific name of the species and variety,
 - (ii) diameter, measured in accordance with paragraph (a) above,
 - (iii) approximate height,
 - (iv) crown spread,
 - (v) condition, including a general statement of health and stability,
 - (vi) whether it is to be preserved or felled, and
 - (vii) in respect of each tree proposed to be felled, the reason for felling.

- (c) Details of any proposed alterations in existing ground levels throughout the site and of the position of any proposed excavation within the crown spread of any retained tree.
- (d) Details of the measures proposed for the protection from damage before and during the course of construction of each retained tree.

In this condition, "retained tree" means an existing tree which it is proposed to preserve under paragraph (b)(vi) above.

Reason: To facilitate the identification and subsequent protection of existing trees on the site, which represent an important amenity and should be substantially maintained.

11. The developer shall facilitate the archaeological appraisal of the site and shall provide for the preservation, recording and protection of archaeological materials or features which may exist within the site. In this regard, the developer shall:

- (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, and
- (b) employ a suitably-qualified archaeologist prior to the commencement of development. The archaeologist shall assess the site and monitor all site development works.

The assessment shall address the following issues:

- (i) the nature and location of archaeological material on the site, and
- (ii) the impact of the proposed development on such archaeological material.

A report, containing the results of the assessment, shall be submitted to the planning authority and, arising from this assessment, the developer shall agree in writing with the planning authority details regarding any further archaeological requirements (including, if necessary, archaeological excavation) prior to commencement of construction works.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

Reason: In order to conserve the archaeological heritage of the area and to secure the preservation (in-situ or by record) and protection of any archaeological remains that may exist within the site.

12. A plan containing details for the management of waste and, in particular, recyclable materials) within the development, including the provision of facilities for the storage, separation and collection of the waste and, in particular, recyclable materials and for the ongoing operation of these facilities shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. Thereafter, the waste shall be managed in accordance with the agreed plan.

Reason: To provide for the appropriate management of waste and, in particular recyclable materials, in the interest of protecting the environment.

13. Site development and building works shall be carried out only between the hours of 0700 to 1900 Mondays to Fridays inclusive, between 0900 to 1300 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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

14. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:
- (a) Location of the site and materials compound(s) including area(s) identified for the storage of construction refuse.
 - (b) Location of areas for construction site offices and staff facilities.
 - (c) Details of on-site car parking facilities for site workers during the course of construction.
 - (d) Details of the timing and routing of construction traffic to and from the construction site and associated directional signage, to include proposals to facilitate the delivery of abnormal loads to the site.
 - (e) Measures to obviate queuing of construction traffic on the adjoining road network.

- (f) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels.
- (g) Off-site disposal of construction/demolition waste and details of how it is proposed to manage excavated soil.

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

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

- 15. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the "Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects", published by the Department of the Environment, Heritage and Local Government in July 2006.

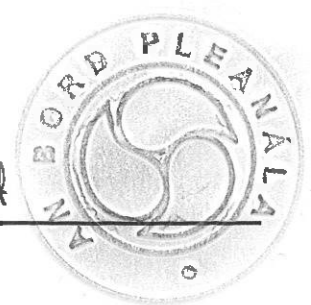
Reason: In the interest of sustainable waste management.

DR. Maria FitzGerald

Maria FitzGerald

Member of An Bord Pleanála

**duly authorised to authenticate
the seal of the Board.**



Dated this 23rd day of Nov. 2021.