

An
Bord
Pleanála

Board Order
ABP-319418-24

Planning and Development Acts 2000 to 2022

Planning Authority: Wicklow County Council

Planning Register Reference Number: 23/60266

Appeal by Edel Collins of 2 San Souci Wood, Vevay Road, Bray, County Wicklow against the decision made on the 6th day of March, 2024 by Wicklow County Council to grant subject to conditions a permission to Board of Management Loreto School Bray care of Mahony O'Beirne Architects of Oyster Point Temple Road, Blackrock, Dublin in accordance with plans and particulars lodged with the said Council.

Proposed Development: Opening up of a former temporary site access in the west boundary wall on Vevay Road and re-instatement upon completion of the development. Sequential demolition of 20th century classroom buildings being Mary Ward, Saint Joseph's, including removal of the link to the Convent (a protected structure), Saint Anne's prefabricated structure and the Sports Hall. Construction in two phases of three-storey split-level school building of 11,302 square metres gross internal area, consisting of general classrooms, specialist classrooms, multi-purpose hall, general purpose area, including kitchen, library, four-class base Special Educational Needs (SEN) Unit, technology classroom and associated external teaching space and store, ancillary welfare and administrative accommodation. Externally, there will be hard and soft landscapes spaces providing new and restored boundary walls,

a permeable surface perimeter fire access road along the north boundary, 88-space universal design car park, 200 cycle spaces, biodiverse water management and attenuation systems, heat pump and waste management compound on the north boundary, replacement of an existing tennis court with a fenced hard ball court 608 square metres, half-sized grass pitch, reinstatement of an historic pathway, works to existing trees and planting of new trees and shrubs. The development comprises of a three-storey split-level east to west main block with a north to south peninsula wing at the west side and a double height wing on the east side with PV panel installations on upper flat roofs and green roof installation on lower flat roofs. The central south-facing courtyard will be bisected by the main pathway to the entrance with a tiered external amphitheatre space to the east and SEN gardens, horticulture and art gardens to the west. Shared space car, cycle and pedestrian routes are designed from the main gates to the main pathway leading to the entrance, all at Loreto Secondary School, Vevay Road, Bray, County Wicklow (all within the curtilage of protected structures).

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.

Reasons and Considerations

Having regard to the provisions of the Wicklow County Development Plan and in particular policy CPO 7.10 which seeks inter alia, to facilitate the provision of schools capable of meeting the demands of the projected population in Wicklow and having regard to the established educational use on site together with the nature, scale, siting and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the residential or visual amenities of the area, would not detract from the setting of a protected structure, would not give rise to the creation of a traffic hazard in the vicinity and would not have any significant effects on ecology of the area. 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 12th day of February 2024, 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, including the demolition of the link structure between St. Annes Building and the Existing Convent Building which is located within lands under the ownership of the applicant, 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. All mitigation measures detailed in relation to the protection of bats as set out in the 'An Evaluation of the Potential Impacts of the Proposed Construction at Loreto, Bray, Co. Wicklow on the local bat fauna' report, lodged with the application on 7th day of September 2023, shall be implemented in full as part of the development.

Reason: In the interest of wildlife protection.

3. Prior to the commencement of development, the developer shall submit a revised site layout plan which clearly denotes a total quantum of 77 number car parking spaces on the site in its entirety to the planning authority for written approval. The revised site layout plan shall include dimensions of the circulation aisles and car parking spaces along with required EV charging points and ducting infrastructure.

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

4. External lighting shall be appropriately cowled so as to be directed onto the school site and away from adjacent housing and roads.

Reason: In the interests of residential amenity and traffic safety.

5. Prior to the commencement of development, the developer shall submit for the written agreement of the planning authority, confirmation that the development will be monitored by a suitably qualified architect with conservation expertise and accreditation.

Reason: In the interest of the protection of architectural heritage (in accordance with the provisions of the Architectural Heritage Protection Guidelines for Planning Authorities).

6. The demolition and construction works 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 be prepared in consultation with the relevant statutory agencies and incorporate all mitigation measures indicated within plans and particulars submitted with this application and demonstration of proposals to adhere to best practice and protocols.

Reason: In the interests of public safety, residential amenity and the protection of protected species.

7. Details 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 visual amenity.

8. 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.

9. (a) The developer shall appoint and retain the services of a qualified Landscape Architect as a Landscape Consultant throughout the life of the construction works and shall notify the planning authority of that appointment in writing prior to the 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.
- (b) 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.

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

10. With the exception of existing trees indicated for removal on the Arboricultural Assessment Report and drawing submitted to the planning authority on the 12th day of February 2024, all trees identified for retention shall be retained free from damage and shall be maintained to form a feature within the parkland area of the proposed development. The critical root zone of trees, treelines and hedgerows to be retained will be identified by a tree specialist and fenced off before any equipment, machinery or materials are brought on to the site for the purposes of the development, and shall be maintained until all equipment, machinery and surplus materials have been removed from the site. No trenches, embankments or pipe runs shall be sited within seven metres of the trunks of the trees to be retained.

Reason: To protect the integrity of trees and woodland habitat within the site.

11. The developer shall engage a suitably qualified licence eligible archaeologist (licensed under the National Monuments Acts) to carry out pre-development archaeological testing in areas of proposed ground disturbance and to submit an archaeological impact assessment report for the written agreement of the planning authority, following consultation with the National Monuments Service, in advance of any site preparation works or groundworks, including site investigation works/topsoil stripping/site clearance/dredging/underwater works and/or construction works. The report shall include an archaeological impact statement and mitigation strategy. Where archaeological material is shown to be present, avoidance, preservation in-situ, preservation by record, archaeological excavation and/or monitoring may be required. Any further archaeological mitigation requirements specified by the planning authority, following consultation with the National Monuments Service, shall be complied with by the developer. No site preparation and/or construction works shall be carried out on site until the archaeologist's report has been submitted to and approval to proceed is agreed in writing with the planning authority. The planning authority and the National Monuments Service shall be furnished with a final archaeological report describing the results of any subsequent archaeological investigative works and/or monitoring following the completion of all archaeological work on site and the completion of any necessary post-excavation work. All resulting and associated archaeological costs shall be borne by the developer.

Reason: To ensure the continued preservation either in situ or by record of places, caves, sites, features or other objects of archaeological interest.

12. During the operational phase of the proposed development the noise level shall not exceed (a) 55 dB(A) rated sound level between the hours of 0700 to 2300, and (b) 45 dB(A) 15min and 60 dB LAfmax, 15min at all other times, corrected for a tonal or impulsive component as measured at the nearest dwelling. Procedures for the purpose of determining compliance with this limit shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: To protect the residential amenities of property in the vicinity of the site

13. All service cables associated with the proposed development shall be located underground. Ducting shall be provided by the developer to facilitate the provision of broadband infrastructure within the proposed development.

Reason: In the interests of visual and residential amenity.

14. The attenuation and disposal of surface water shall comply with the requirements of the planning authority for such works and services.

Reason: In the interest of public health.

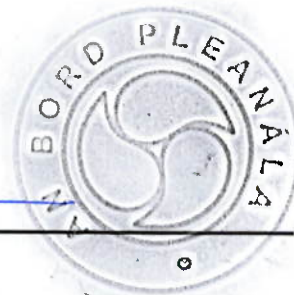
15. Site development and building works shall be carried out only between the hours of 0700 to 1800 Mondays to Fridays inclusive, between 0800 to 1400 hours on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional circumstances where prior written approval has been received from the planning authority.

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



Paul Caprani

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



Dated this 2nd day of October 2024.