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**NOTIFICATION OF DECISION TO GRANT PERMISSION
PLANNING & DEVELOPMENT ACT 2000 (as amended) AND
PLANNING REGULATIONS THEREUNDER**

Decision Order Number: 1100	Date of Decision: 24-Aug-2022
Register Reference: SD21A/0317	Date: 28-Jul-2022

Applicant: Fr. Damian Faron

Development: Demolish part of the modern extension constructed at the southern end of the original school building in order to construct a new single storey extension to accommodate a unit for children with special needs; ancillary works will include modifications to the original classroom block and the provision of new car parking spaces in the western forecourt area.

Location: St Joseph's Boys National School, Boot Road, D22PY13

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 24-Jan-2022 /28-Jul-2022

Clarification of Additional Information Requested/Received:

DECISION TO: Pursuant to the Planning & Development Act 2000 (as amended), it is hereby decided, for the reasons set out in the First Schedule hereto, to **GRANT PERMISSION** for the said development in accordance with the said plans and particulars, subject to the conditions specified in the Second Schedule hereto, the reasons for the imposition of the said conditions being as set out in the said Second Schedule and the said decision is subject to the said conditions.

FIRST SCHEDULE

It is considered that the proposed development accords with the policies and objectives of South Dublin County Council, as set out in the South Dublin County Council Development Plan 2022 - 2028 and subject to the condition(s) set out hereunder is thereby in accordance with the proper planning and sustainable development of the area.

SECOND SCHEDULE

Conditions and Reasons:

1. Development to be in accordance with submitted plans and details.
The development shall be carried out and completed in its entirety in accordance with the plans, particulars and specifications lodged with the application, and as amended by Further Information received on 28th July 2022, save as may be required by the other conditions attached hereto.
REASON: To ensure that the development shall be in accordance with the permission, and that effective control be maintained.
2. External Finishes.
All external finishes shall harmonise in colour and texture with the existing school building on the subject site.
REASON: In the interest of visual amenity.
3. a) Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any permitted development or any related construction activity or tree felling on site, the applicant, owner or developer shall:
 - i) Engage the services of a qualified arborist as an arboricultural consultant, for the entire period of construction activity and shall notify the planning authority of that appointment in writing.
 - ii) Submit photographs and confirmation that fencing for retained trees/hedgerows meets BS5837:2012. 'Trees in Relation to Design, Demolition and Construction – Recommendations' for the written agreement of the Public Realm Section. This shall include a location map of where each picture was taken from.b) All trees and hedgerows within the boundaries of the site shall be retained and maintained with the exception of the following:
 - i) Specific trees, the removal of which is authorized in writing by the planning authority to facilitate development (Trees A to D on Existing Site Plan 21.01.10P).
 - ii) Trees which are agreed in writing by the planning authority to be dead, dying or dangerous through disease or storm damage, following submission of a qualified tree surgeons report, and which shall be replaced with agreed specimens.c) The removal of hedges and trees from the development site shall only be carried out in the months from September to February inclusive, that is outside of the main bird nesting season.
Reason: In the interests of amenity, biodiversity, climate adaptation and sustainable development.
4. Prior to the submission of the Commencement Notice within the meaning of Part II of the Building Control Regulations 1997 and prior to the commencement of any permitted

development or any related construction activity or tree felling on site, the applicant, owner or developer shall: engage the services an independent, qualified ecologist/bat specialist, for the entire period of construction activity. The applicant shall inform the planning authority in writing of the appointment and name of the consultant. The consultant shall ensure the implementation of all of the recommendations in the ecofact Bat Survey Report and Biodiversity Assessment Report, both dated 5th July2022.

REASON: In the interests of biodiversity, climate adaptation and sustainable development.

5. The Landscape Proposals, shall be implemented in full, within the first planting season following completion of the development (completion of construction works on site):
 - a) Prior to the commencement of development the Applicant shall submit for the written agreement of the Planning Authority a landscape plan incorporating the protection and enhancement of Green Infrastructure assets, demonstrating compliance with the Green Infrastructure Strategy outlined in the South Dublin County Development Plan 2022-2028.
 - b) All hard and soft landscape works shall be completed in full accordance with the approved Landscape proposals.
 - c) All trees, shrubs and hedge plants supplied shall comply with the requirements of BS: 3936, Specification for Nursery Stock. All pre-planting site preparation, planting and post-planting maintenance works shall be carried out in accordance with the requirements of BS : 4428 (1989) Code of Practice for General Landscape Operations (excluding hard surfaces).
 - d) All new tree plantings shall be positioned in accordance with the requirements of Table 3 of BS 5837: 2012 'Trees in Relation to Design, Demolition and Construction – Recommendations'.
 - e) Any trees, shrubs or hedges planted in accordance with this condition which are removed, die, become severely damaged or become seriously diseased within three years of planting shall be replaced within the next planting season by trees, shrubs or hedging plants of similar size and species to those originally required to be planted.
 - f) Planting shall native and pollinator friendly species to support the local bat population.
- REASON: In the interests of amenity, biodiversity, climate adaptation and sustainable development.
6. Prior to the commencement of development, the Applicant shall submit the following information for the written agreement of the Planning Authority:
 - a) A drawing in plan and cross-sectional view showing the distance between foundation of proposed development and existing surface water drain south of same. There shall be no loading on existing surface water drain. Provide a report and drawing what access to existing surface water drain will be available to maintain same.
 - b) Submit a report and drawing showing how surface water will be attenuated for proposed development. Surface water can be attenuated by means of SuDS (Sustainable Drainage Systems). The report shall show what surface water attenuation is required in m3 and what surface water attenuation is provided in m3.
 - c) The applicant shall show in a drawing and report what SuDS features are proposed for the development. Examples of SuDS include and are not limited to Rain Gardens, Green Roofs, Water Butts, Planter boxes, Permeable Paving, Grasscrete.
 - d) The applicant shall ensure that there is complete separation of the foul and surface water drainage for the proposed development.

e) All works for this development shall comply with the requirements of the Greater Dublin Regional Code of Practice for Drainage Works.

REASON: In the interest of public health and to ensure adequate water and wastewater facilities.

7. a) Prior to the commencement of development the Applicant shall enter into a water connection agreement with Irish Water.

b) Prior to the commencement of development the Applicant shall enter into a wastewater connection agreement with Irish Water.

REASON: In the interest of public health and to ensure adequate water and wastewater facilities.

8. Minimise Air Blown Dust.

During the construction and or demolition phase of the development, Best Practicable Means shall be employed to minimise air blown dust being emitted from the site. This shall include covering skips and slack-heaps, netting of scaffolding, daily washing down of pavements or other public areas, and any other precautions necessary to prevent dust nuisances. The applicant/developer shall comply with British Standard B.S. 5228 Noise Control on Construction and Open sites and British Standard B.S. 6187 Code of Practice for demolition.

REASON: In the interest of public health and to uphold the Council's policies set out in the South Dublin County Council Development Plan.

9. Construction Noise and Hours.

To control, limit and prevent the generation of unacceptable levels of Environmental Noise Pollution from occurring during construction activity, no Equipment or Machinery (to include pneumatic drills, on-site construction vehicles, generators, etc.) that could give rise to unacceptable levels of noise pollution as set out generally for evening and night-time in S.I. No. 140/2006 - Environmental Noise Regulations 2006 shall be operated on the site before 7.00 hours on weekdays and 9.00 hours on Saturdays nor after 19.00 hours on weekdays and 13.00 hours on Saturdays, nor at any time on Sundays, Bank Holidays or Public Holidays.

Any construction work outside these hours that could give rise to unacceptable levels of noise pollution shall only be permitted following a written request to the Planning Authority and the subsequent receipt of the written consent of the Planning Authority, having regard to the reasonable justification and circumstances and a commitment to minimise as far as practicable any unacceptable noise outside the hours stated above. In this respect, the applicant or developer shall also comply with BS 5228:2009 Noise and Vibration Control on Construction and Open Sites, and have regard to the World Health Organisation (WHO) – Guidelines for Community Noise (1999).

The applicant or developer shall also endeavour to engage in local consultation in respect of any noise sensitive location within 30 metres of the development as approved prior to construction activity commencing on site. Such noise sensitive locations should be provided with the following:

- Schedule of works to include approximate timeframes
- Name and contact details of contractor responsible for managing noise complaints
- Hours of operation- including any scheduled times for the use of equipment likely to be the source of significant noise.

REASON: In the interest of public health by the prevention of unacceptable levels of

noise pollution which could interfere with normal sleep and rest patterns and/or when people could reasonably expect a level of quietness, the proper planning and sustainable development of the area and to uphold the Council's amenity policies set out in the South Dublin County Council Development Plan.

NOTE: The applicant is advised that under the provisions of Section 34 (13) of the Planning and Development Act 2000 (as amended) a person shall not be entitled solely by reason of a permission to carry out any development.

NOTE: The applicant is advised that in the event of encroachment or oversailing of adjoining property, the consent of the adjoining property owner is required.

NOTE: The requirements of the HSE Environmental Health Officer shall be ascertained prior to the commencement of development in the interest of public health.

NOTE: The applicant or developer should ensure that all necessary measures shall be taken by the contractor to prevent the spillage or deposit of clay, rubble or other debris on adjoining roads during the course of the works and to ensure that any such instances arising are remedied immediately.

NOTE: Waste, arising from the site, must be kept to a minimum, segregated where appropriate, and disposed in accordance with the Waste Management Regulations 2007, as amended. Transport of such waste, must be by an authorised waste permit holder. Waste disposal records must be maintained and made available, for inspection by Authorised Persons appointed under the Waste Management Act 1996, as amended. A Waste Transfer Form shall accompany the transportation of all hazardous waste arising from the construction works.

NOTE: A Roads Opening Licence must be obtained from South Dublin County Council prior to the commencement of any works in the public domain in order to comply with the Roads Act 1993, Section 13, paragraph 10. Under this Act, non-compliance constitutes an offence.

NOTE: The applicant/developer is advised that the most up to date South Dublin County Council Taking in Charge Policy and associated documents can be found at the following location <https://www.sdcc.ie/en/services/planning/commencement-and-completion/completion/taking-in-charge-policy-standards>.

NOTE: Adequate provision should be made to facilitate access to and the use of the development, buildings, facilities and services by disabled persons, including sanitary conveniences. The minimum requirements should be as per Part M of the Building Regulations.

NOTE: Notwithstanding any grant of planning permission; if an applicant requires permission to access local authority land (e.g. public footpaths, public open space or roadways) in order to access utilities, or for any other reason; please apply via <https://maproadroadworkslicensing.ie/MRL/> for a licence from the Local Authority to carry out those works.

The Developer is advised that under the provisions of the Construction Products Regulation 2013 (No.305/2011-CPR) All products sourced for use in building process must conform

with the statutory requirements of the CPR. For more information on these responsibilities see <http://ec.europa.eu/enterprise/sectors/construction/legislation>.

From March 1, 2014, the Building Control (Amendment) Regulations 2013 (SI 80 of 2013) come into effect. All Commencement Notices for works greater than 40sq.m are obliged to be accompanied by a number of certified undertakings as described by these Regulations.

Please note that upon receipt of this document you are obliged to remove the planning site notice in compliance with Article 20 of the Planning and Development Regulations 2001, as amended.

Please note that any valid submissions or observations received in accordance with the provisions of the Planning and Development Regulations 2001, as amended, have been considered in the determination of this application.

Signed on behalf of the South Dublin County Council.

Pamela Hughes **29-Aug-2022**
for **Senior Planner**

NOTES

(A) REFUND OF FEES SUBMITTED WITH A PLANNING APPLICATION

Provision is made for a partial refund of fees in the case of certain repeat applications submitted within a period of twelve months where the full standard fee was paid in respect of the first application and where both applications related to developments of the same character or description and to the same site. An application for a refund must be made in writing to the Planning Authority and received by them within a period of two months beginning on the date of the Planning Authority's decision on the second application. For full details of fees, refunds and exemptions the Planning & Development Regulations, 2001 should be consulted.

(A) APPEALS

1. An appeal against the decision may be made to An Bord Pleanála. The applicant or ANY OTHER PERSON who made submissions or observations to the Local Authority may appeal within FOUR WEEKS beginning on the date of this decision. (N.B. Not the date on which the decision is sent or received).
1. Every appeal must be made in writing and must state the subject matter and full grounds of appeal. It must be fully complete from the start. In the case of a third party appeal it must be accompanied by the acknowledgement by the Planning Authority of receipt of the submissions/observations. Appeals should be sent to:
 2. The Secretary, An Bord Pleanála, 64 Marlborough Street, Dublin 1.
3. An Appeal lodged by an applicant/ agent or by a third party with An Bord Pleanála will be invalid unless accompanied by the prescribed fee. A schedule of fees is at 7 below.
4. A party to an appeal making a request to An Bord Pleanála for an Oral Hearing of an appeal must, in addition to the prescribed fee, pay to An Bord Pleanála a further fee (see 7 (g) below).
5. A person who is not a party to an appeal must pay a fee to An Bord Pleanála when making submissions or observations to An Bord Pleanála in relation to an appeal.
6. If the Council makes a decision to grant permission/grant permission consequent on a grant of outline permission and there is no appeal to An Bord Pleanála against this decision, PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION will be granted by the Council as soon as may be after the expiration of the period for the taking of such an appeal. If any appeal made in accordance with the Acts has been withdrawn, the Council will grant the PERMISSION/PERMISSION CONSEQUENT ON A GRANT OF OUTLINE PERMISSION/RETENTION as soon as may be after the withdrawal.
7. Fees payable to An Bord Pleanála from 10th December 2007 are as follows:
 - (a) Appeal against a decision of a Planning Authority on a planning application relating to commercial development made by the person by whom the planning application was made.
where the application relates to unauthorised development €4.500.00 or €9.000 if an E.I.A.R. is involved
 - (b) Appeal against a decision of a planning authority on a planning application relating to commercial development made by the person by whom the planning application was made.
other than an appeal mentioned at (a)..... €1.500.00 or €3,000.00 if an E.I.A.R. is involved
 - (c) Appeal made by the person by whom the planning application was made, where the application relates to unauthorised development other than an appeal mentioned at (a) or (b) €660.00
 - (d) Appeal other than an appeal mentioned at (a), (b), (c) or (f) €220.00
 - (e) Application for leave to appeal €110.00
 - (f) Appeal following a grant of leave to appeal €110.00
 - (g) Referral..... €220.00
 - (h) Reduced fee (payable by specified bodies)..... €110.00
 - (i) Submission or observations (by observer) €50.00
 - (j) Request from a party for an Oral Hearing €50.00

If in doubt regarding any of the above appeal matters, you should contact An Bord Pleanála for clarification at

Telephone 01-858 8100