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

Decision Order Number:	0538	Date of Decision:	19-May-2023
Register Reference:	SD22A/0153	Date:	26-Apr-2023

Applicant: The Department of Education

Development: Development on site for Phase 1 (of a 2-phase future masterplan) partial demolitions, refurbishment and a new circulation link extension to the existing Loreto Abbey Complex, protected structures (RPS no.s 252 and 253) at the Grange Road Loreto Rathfarnham for use as Gaelcholaiste an Phiarsaigh; The proposed Phase 1 works shall consist of partial demolitions of two storey link and toilet extensions; construction of a new 787sq.m replacement four storey glazed circulation extension linking the existing 1725 Georgian House and 1890's St. Anne's buildings; refurbishment works to the existing 1725 Georgian House and 1890's St. Anne's buildings, with works to the ground floor of the 1903 Gymnasium Building (all forming part of the protected structure RPS no. 253) totalling 3, 854sq.m; demolition of 20th Century extension to, and holding works for future re-use, to Northern Gate Lodge (RPS No. 252); construction of temporary school prefabricated toilet accommodation for school use during the phasing of the main construction works; on-site drop-off, set-down and vehicular parking provisions, and associated off-site works adjoining the shared access road/ right of way with the Loreto Abbey Apartment Development; all associated hard- and soft- surface play areas, bicycle parking area and landscaping, boundary treatments; associated surface water attenuation, foul and surface water drainage connections, site works and ancillary services.

Location: Loreto Abbey, Grange Road, Rathfarnham, Dublin 14

Floor Area:

Time extension(s) up to and including:

Additional Information Requested/Received: 25-Jul-2022 /26-Apr-2023

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 26/04/2023, 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. Toilet Block and All-Weather Pitch
 - A. The temporary toilet block is permitted for a period not exceeding 3 years from the date of final grant of permission. On the expiration of the appropriate period, the toilet block shall be removed, and the area made good.
 - B. The all-weather pitch is not permitted under this application.REASON: In the interest of the proper planning and sustainable development of the area.
3. Architectural Conservation – Window Schedule.
Prior to the commencement of development, details of the profile shall be submitted for the historic reinstatements and the final paint colour for the windows shall be submitted for written agreement. The existing historic glass is to be retained and requires protection during the proposed development. Safety measures shall be detailed within the Safety Statement to include this item.
REASON: To ensure the correct reinstatement of historic windows using the traditional methods and materials and to ensure the finish paint colour is considered within the

overall scheme.

4. Architectural Conservation - Condensation Risk Analysis.

Prior to the commencement of development copies of the condensation risk analysis and the study for options for thermal upgrading works shall be submitted to the Planning Authority and a record shall be kept, and photographs of all thermal upgrading works in order to present a case study of good thermal upgrading and works to historic structures as part of climate change policy.

REASON: In the interest of sharing information and providing case studies of good practice and use of materials for energy upgrading works for Protected Structures in addressing climate change policy.

5. Architectural Conservation.

o The proposed development shall be carried out in accordance with the details provided in the Methodology as part of the Conservation Impact Assessment and Conservation Strategy. Works shall be carried out adhering to best conservation practice and principles.

o A suitably qualified Conservation Architect shall continue to be engaged to supervise and oversee the proposed works to the existing Protected Structures (Loreto Abbey RPS Ref. 253 and Gate Lodges RPS Ref.252), ensuring that all conditions relating to the architectural conservation and status of the existing buildings are addressed and submitted for agreement with the Councils Architectural Conservation Officer as set out below.

o Prior to the commencement of development, the applicant shall inform the South Dublin County Councils Architectural Conservation Officer when works commenced and shall be provided with a final Work Programme in order to facilitate site inspections.

o the proposed interventions and works within the existing buildings should be carried out in accordance with the details specified in the detailed Methodology provided as part of the Conservation Strategy and approach. All works should be carried out in accordance with good conservation practice and principles ensuring minimal intervention and no damage or risk to the original built fabric. Those areas being affected by new opes or widening of new opes/interventions or new additions should be made good using the appropriate materials and methods.

o Safety measures shall be put in place during the proposed works on site. Prior to commencement of development, a Safety Statement shall be provided, for written agreement, detailing how the existing structures will be protected during demolition works and site clearance/excavation and construction. This shall include all Protected Structures including the North Gate Lodge and architectural features within the curtilage. Details shall include how original architectural features and fixtures will be protected during works. Details shall also be included as to how the site will be accessed during the works and location of site set up etc.

Once works commence on site the Councils Architectural Conservation Officer shall be contacted with regard to inspecting the safety measures put in place to safeguard and protect ALL Protected Structures on site.

Reason: To ensure the works are carried out in accordance with the details provided adhering to best practice and conservation principles, to ensure works to structures within the curtilage of Loreto Abbey, Protected Structure (RPS Ref. 253 and 252) are carried out according to good conservation practice and principles and to ensure the Protected Structure and all associated features are being safeguarded during the proposed

development and appropriate safety measures are put in place to prevent any possible damage.

6. Sustainable Urban Drainage Systems (SuDS)

Prior to the commencement of development the applicant shall contact Water Services and Public Realm to discuss options to provide additional natural SUDS features as part of proposed drainage system for the development such as rain gardens, detention basins, filter drains, swales etc. The applicant shall:

- Remove the proposal for underground attenuation, where possible.
- Demonstrate the treatment train, biodiversity value and amenity value of the SUDS proposed.

As per Section 12.11 (iii) of CDP 2022-2028, only in exceptional cases and at the discretion of the Planning Authority (where it is demonstrated that SuDS devices are not feasible), approval may be given to install underground attenuation tanks or enlarged pipes in conjunction with other devices to achieve the required water quality. Such alternative measures will only be considered as a last resort. The applicant shall seek to maximise the use of permeable surfaces, as well as opportunities for stormwater attenuation and storage through SuDS and limit the use of underground attenuation and storage. The applicant shall submit a revised drawing in plan and cross-sectional view showing additional SuDS which removes the requirement for underground attenuation tanks such as:

- Green / Blue Roofs
- Swales
- Green areas
- Permeable Paving
- Tree Pits
- Pond/s

REASON: To prevent increased risk of flooding by ensuring that the provision of a satisfactory means of surface water disposal is incorporated into the design and the build and that the principles of sustainable drainage are incorporated into this proposal and maintained for the lifetime of the proposal, in accordance with the policies and objectives of the County Development Plan 2022-2028.

7. Roads and Access.

A. Prior to the commencement of development, the applicant shall submit the following for the written agreement of the Planning Authority:

- i. the relocation of the public lighting infrastructure outside of the property is to be for the written agreement of the Planning Authority. Cost of such relocation to be borne solely by the applicant
- ii. Revised layout of not less than 1:100 scale, showing a swept path analysis drawing (i.e. Autotrack or similar) demonstrating that large vehicles/ school busses and refuse vehicles can access/egress the set down area of the site.

B. Within six months of operation, the applicant shall submit the following for the written agreement of the Planning Authority:

- i. A Mobility Management Plan which shall prioritise active travel modes and public transport above private car trips.

C. The entrance apron shall be dished and widened to the full width of the proposed entrance/exit and shall be constructed to the satisfaction of South Dublin County Council's Road Maintenance Department, and at the applicant's expense.

REASON: In the interest of the proper planning and sustainable development of the area.

8. Tree Protection.

No operations shall commence on site in connection with the development hereby approved (including demolition works, tree works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until a detailed Arboricultural Method Statement (AMS) in accordance with BS5837:2012 Trees in relation to design, demolition and construction – Recommendations has been submitted to and approved in writing by the Planning Authority and the protective fencing is erected as required by the AMS. The AMS shall include full details of the following:

- a) Timing and phasing of Arboricultural works in relation to the approved development.
- b) Detailed tree felling and pruning specification in accordance with BS3998:2010 Recommendations for Tree Works.
- c) Details of a tree protection scheme in accordance with BS5837:2012: which provides for the retention and protection of trees, shrubs and hedges growing on or adjacent to the site which are shown to be retained on the approved plan
- d) Details of any construction works required within the root protection area as defined by BS5837:2012 or otherwise protected in the approved Tree Protection Scheme
- e) Details of the location of any underground services and methods of installation which make provision for protection and the long-term retention of the trees.
- f) Details of any changes in ground level, including existing and proposed spot levels required within the root protection area as defined by BS5837:2012
- g) Details of the arrangements for the implementation, supervision and monitoring of works required to comply with the arboricultural method statement.

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

9. Implementation of Tree Protection during development.

A. No works in connection with the development shall commence unless a tree protection plan has been submitted to the Planning Authority for written agreement. Tree protection measures shall be shown on a layout plan accompanied by descriptive text and shall include:

- i. All tree felling and pruning works shall be carried out in full accordance with the approved specification and the requirements of British Standard 3998: 2010 - Recommendations for Tree Works.
- ii. No excavations for services, storage of materials or machinery, parking of vehicles, deposit or excavation of soil or rubble, or disposal of liquids shall take place within any area designated as being fenced off or otherwise protected in the approved protection scheme.
- iii. Protective fencing shall be retained intact for the full duration of the development hereby approved and shall not be removed or repositioned without the prior written approval of the Local Planning Authority.
- iv. No development or other operations shall take place except in complete accordance with the approved protection scheme and Arboricultural Method Statement This tree condition may only be fully discharged on completion of the development subject to satisfactory written evidence of contemporaneous monitoring and compliance by the pre-appointed tree specialist during construction.

B. Prior to the commencement of construction works on site, a meeting with the Project

Landscape Architect, Site Foremen, the appointed Arborist and a Parks Superintendent from the Public Realm Section shall take place on-site to inspect that:

- i. that the protective fencing has been erected as per the submitted Tree Protection Plan. This fencing is to remain in place for the duration of the project.
- ii. all tree pruning & tree felling has been carried out appropriately

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

10. Root Protection.

Prior to the commencement of development, a method statement identifying the root protection areas of all trees on and around the site and giving details of any works to be carried out within the root protection areas of the trees and the method to avoid damage to the trees during these works shall be submitted to the Planning Authority for written agreement.

REASON: To ensure the safety and well-being of the trees in accordance with the South Dublin County Development Plan 2022 - 2028

11. Construction of surfaces within Root Protection area.

Prior to the commencement of development, the detailed design and construction method statement of vehicular drives, parking areas and other hard surfacing within the root protection area (as defined by BS5837:2012) shall be submitted to the Planning Authority for written agreement.

No operations shall commence on site in connection with the development hereby approved (including demolition works, fires, soil moving, temporary access construction and / or widening or any operations involving the use of motorised vehicles or construction machinery) until this has been approved. The design and construction must:

- a) Be in accordance with the recommendations of BS5837:2012.
- b) Include details of existing ground levels, proposed levels and depth of excavation.
- c) Include details of the arrangements for the implementation, supervision and monitoring of works

REASON: To ensure the continued wellbeing of the trees in the interests of the amenity and environmental quality of the locality.

NOTE: Where the applicant proposes to connect to a public water/wastewater network operated by Irish Water, the applicant must sign a connection agreement with Irish Water prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.

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 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.

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
for **Senior Planner**

19-May-2023

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