



RECORD OF CHIEF EXECUTIVE'S ORDER

LOUTH COUNTY COUNCIL

PLANNING AND DEVELOPMENT ACT, 2000 (as amended)

Chief Executive's Order No 006/2024
Register Reference Number: 2360225
Date Application Received: 20/07/2023
Type of Application: PERMISSION

Description of Development: Permission for a new school building for St. Ita's and St Mary's Special Schools, provided in a part single, two and three-storey building arranged as 2 linked blocks, including upgraded access road to be constructed for shared use with the adjacent Pitch & Putt club. The proposed building will contain 20 no. classrooms for St. Ita's, 17 no. classrooms for St. Mary's, associated clinician and educational support rooms, external rooftop play areas, hydrotherapy pool and all ancillary spaces with total floor area of circa 9586 sqm. Proposed site works to include the construction of new hard and soft play areas, Multi Use Games Area and multisensory gardens, together with all associated paths and paving, 145 no. car-parking spaces, 8 no. covered minibus set-down bays and a further 12 no. queuing spaces, together with boundary treatments, 20 no. bicycle stands, ancillary infrastructure works, ESB sub-station landscaping and a stormwater connection including upgrade works to the existing drainage network located in the public road and footpath in Riverview.

Name of Applicant: Department of Education St Ita's and St Mary's Special Schools

Location of Development: Cement Road Mell Drogheda, Co Louth

Recommendation: I hereby recommend that PERMISSION be GRANTED for the development described above, subject to the 14 condition(s) as set out hereunder.


Signed: _____
Brian Brooks
Executive Planner

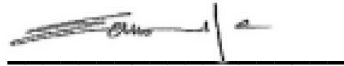
Date: 04/01/24

ORDER:

In pursuance of the powers conferred upon the Council by the above acts, I concur with the above recommendation and I hereby decide to GRANT PERMISSION for the development described above, subject to the 14 condition(s) set out hereunder.

In case no appeal is taken against the decision contained herein, or in case any and every appeal taken is either withdrawn or dismissed, or in case a direction is given by An Bord Pleanála in relation to an appeal, I hereby further order that PERMISSION be GRANTED to the applicant in accordance with this decision or the direction as may be appropriate.

Signed:



Eamon Woulfe
Acting Director of Services

Date: 05/01/2024

To whom this function has been delegated in accordance with the provisions of Section 154 of the Local Government Act, 2001 by Order No. CE.S 362/23 dated 10th day of November 2023.

LOUTH COUNTY COUNCIL

L.C.P. 006/2024

REFERENCE NO. 23/60225

1. Subject to the conditions below, the proposed development shall be carried out in strict conformity with the plans, specifications and details received on 20th July 2023 and revised plans and specification submitted on the 7th of December 2023.

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, or as otherwise stipulated by conditions hereunder, and the development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2.(a) Tactile paving crossing points shall be created in accordance with *Traffic Management Guidelines* published by the Department of Transport.

(b) The stop line adjacent to the Cement Road shall be located 600mm back from the running edge and Stop sign located in accordance with the *Traffic Signs Manual* published by the Department of Transport.

(c) All works shall be carried out in accordance with *Recommendations for Site Development Works* published by the Department of Housing, Local Government and Heritage.

(d). Where internal roads are less than 6m wide perpendicular parking bays must be widened in accordance with DMURS.

(e). Gully locations along the public road to be demonstrated on Surface Water and Roads Layout plans and agreed with Louth County Council prior to commencement.

(f). A high level connecting pipe between the east and west surface water manholes at the north side of Riverview shall be provided.

(g). Thermoplastic impervious membrane to protect the attenuation area from the ingress of ground water shall be installed as per the manufacturer's specification.

Reason: In the interest of orderly development.

3. All service cables associated with the proposed development (such as electrical, telecommunications and television) 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.

4. The developer shall enter into water and wastewater connection agreements with Uisce Éireann prior to commencement of development and all development shall be carried out in compliance with Uisce Éireann Standards codes and practices.

Reason: In the interest of public health.

5. Site Development and building works shall be carried out only between the hours of 0700 to 1900 hours Mondays to Saturdays inclusive, 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.

6. The public road at the entrance to and adjacent to the site, shall be kept free of soil, clay, gravel, mud or dust or other debris at all stages while the development is taking place. Care shall be taken to ensure that all vehicles leaving the site are free of any material that would be likely to deposit on the road and in the event of such deposition occurring, immediate steps shall be taken to remove the material from the road surface. Public roads and footpaths in the vicinity of the site shall be maintained in a tidy condition by the developer during the construction phase.

Reason: In the interests of traffic safety and to protect the visual amenities of the area.

7. The developer shall undertake and be responsible for the full cost of carrying out of road and footpath cleaning work under Planning Authority supervision or alternatively, shall pay to the Planning Authority the full cost of cleaning any such debris.

Reason: To protect the amenities of the area.

8. The transmitted ground vibration arising from any piling carried out on the site, when measured on the foundations of the house nearest the location of the piling and not owned by the developer or on a part of the house in close contact with the foundations, shall not exceed a peak particle velocity of 5 millimeters per second in any one of three mutually orthogonal planes.

Reason: To safeguard the amenities of adjacent property

9. The developer shall be compliant with the requirements of BS 5228 Part 1 1997 (Noise and Vibration control on construction and open sites).

Reason: In the interest of the proper planning and development of the area and in the interest of residential amenity.

10. (a) The developers shall, if directed by the Planning Authority, monitor and record noise levels during construction of the development – Leq's and any other levels which may be requested by the Planning Authority (L max etc.)

(b) The developer shall if directed by the Planning Authority, monitor and record the total dust emissions arising from all on site operation associated with the proposed development during construction.

(c) The number and locations of the monitoring and recording stations for sound and dust deposition necessary to comply with the requirements of Part (a) and (b) of this condition shall be in accordance with the requirements of the Planning Authority for such monitoring of sound and dust deposition.

(d) The Planning Authority shall be afforded access at all reasonable times in order to inspect, examine and check or to have inspected, examined and checked, all apparatus and equipment used or required to carry out monitoring of noise.

(e) The developers shall pay a sum of money to Louth County Council, if demanded, as a contribution towards the costs incurred by the said Council in carrying out, or in having carried out, check monitoring and recording of any, or all, of the matters required to be monitored and recorded by part (a) and (b) of this condition. The amount of contribution and the arrangement for payment of such contribution shall be as agreed between the developers and the Planning Authority.

Reason: In the interest of the proper planning and development of the area and in the interest of residential amenity.

11. (a) The site shall be landscaped strictly in accordance with the submitted scheme of hard and soft landscaping.

(b) The developer shall retain the services of a suitably qualified Landscape Architect throughout the life of the site development works. The approved hard and soft landscaping scheme shall be finalized in accordance with submitted plans prior to the sale of any of the residential units hereby granted planning permission. 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 5 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 interest of residential and visual amenity.

12. 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 inter alia, hours of working, noise and dust management measures, traffic management strategy, surface, and groundwater protection measures, and contain measures to deal with potential adverse impacts (pollution risks, invasive species control).

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

13. Archaeological Investigations:

- a). The developer is required to engage the services of a suitably qualified archaeologist to carry out an archaeological assessment/ test trenching of the development site. No sub-surface developmental work, including geotechnical test pits, should be undertaken until the archaeological assessment/test trenching has been completed and commented on by this Department.
- b). The archaeologist shall carry out any relevant documentary research and inspect the development site. As part of the assessment a programme of test excavation shall be carried out at locations chosen by the archaeologist (licensed under the National Monuments Acts 1930-2004), having consulted the site drawings and this Department.
- c). Having completed the work, the archaeologist shall submit a written report stating their recommendations to the Planning Authority and to the Department of Housing, Local Government and Heritage. Where archaeological material/features are shown to be present, preservation in situ, preservation by record (excavation) or monitoring may be required.

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

14. Prior to the commencement of development, the developer or any agent acting on its behalf shall prepare a Resource and Waste Management Plan (RWMP) as set out in the Best Practice Guidelines for the Preparation of Resource and Waste Management Plans for C&D Projects (2021) including demonstration of proposals to adhere to best practice and protocols. The RWMP shall include specific proposals as to how construction resources and wastes will be reduced, and as to how the RWMP will be measured and monitored for effectiveness; these details shall be placed on the file and retained as part of the public record. The RWMP must be submitted to the planning authority for written agreement prior to the commencement of development. All records (including for waste and all resources) pursuant to the agreed RWMP shall be always made available for inspection at the site office.

Reason: In the interest of proper planning and sustainable development.

Notes for Applicants

1. It should be clearly understood that the granting of Planning Permission does not relieve the developer of the responsibility of complying with any requirements under other Codes of legislation affecting the proposal.
2. A person shall not be entitled solely by reason of a grant of Planning Permission to carry out any development.
3. A grant of Planning Permission does not entitle a person to construct a development that would oversail, overhang or otherwise physically impinge upon an adjoining property without the permission of the adjoining property owner.
4. The applicant/developer shall liaise with statutory bodies and the Public Utility Authorities and carry out all diversions, re-routing, modifications etc as required during the construction of the works. The applicant/developer shall arrange to carry out any works required by statutory bodies and the Public Utility Authorities.
5. The applicant/developer shall make all necessary arrangements to apply for and obtain a Road Opening License(s) from Louth County Council in respect of all openings in public areas and shall pay Road Opening License Fees and road restoration costs. The applicant shall abide by the conditions as set out in the said license(s).
6. During the course of construction work the developer shall provide on-site covered skip(s) or other suitable receptacle for the deposit therein of all rubbish, litter, paper, packaging, rubble and other such materials arising from the works and shall ensure that the site and its environs are maintained at all times in a clean and tidy condition.
7. The procedure for making an appeal is available on An Bord Pleanála's website. (www.pleanala.ie)

Uisce Éireann Standard Notes

1. Under the provisions of Section 55(1)(a) of the Water Services Act 2007 (the Act) it is an offence for a person to cause or permit the connection of a premises to the public water supply network , either directly or indirectly, or to otherwise take a water supply without the agreement of Uisce Éireann. Similarly under the provisions of Section 61(1) (a) of the Act, it is an offence for a person to cause or permit the connection of a premises to the public waste water collection network, either directly or indirectly, without the agreement of Uisce Éireann.
2. Where the applicant proposes to connect to a public water/wastewater network operated by Uisce Éireann, the applicant must sign a connection agreement with Uisce Éireann prior to the commencement of the development and adhere to the standards and conditions set out in that agreement.
3. In the interest of Public Health and Environmental Sustainability, Uisce Éireann Infrastructure capacity requirements and proposed connections to the Water and Waste Water Infrastructure will be subject to the constraints of the Uisce Éireann Capital Investment Programme.