

Date: 7th May 2025. Our Ref: ED/1188.

Eric Gaughan Coláiste Lorcain, c/o Building Design Partnership (BDP), Blackhall Green. Dublin 7 D07 V0RF

RE: Application for a Declaration of Exempted Development under Section 5 of Planning and Development Act 2000 (as amended) for development at Coláiste Lorcain, Castledermot, Athy, Co. Kildare.

Dear Sir/Madam.

I refer to your correspondence received on 30th January 2025 and 25th April 2025 in connection with the above.

Please find attached declaration made under Section 5 of Planning and Development Acts 2000 (as amended) in this regard.

Yours sincerely,

Planning Department.





Declaration of Development & Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended).

ED/1188.

WHEREAS a question has arisen as to whether the installation of ventilation hoods onto the external facade to serve internal classroom MHVR units, replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, repainting of existing façade, replacement of the existing flat roofs and rooflights of the gym hall, changing block with new insulated bitumen roof laid to falls and rooflights, works to install 2x air source heat pumps and the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet at Coláiste Lorcain, Castledermot, Athy, Co. Kildare, is exempted development,

AS INDICATED on the plans and particulars received by the Planning Authority on 30th January 2025 and 25th April 2025

AND WHEREAS Eric Gaughan, Coláiste Lorcain requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

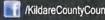
- (a) Planning and Development Act 2000 (as amended) and
- (b) Planning and Development Regulations 2001 (as amended); and
- (c) Documentation received with the application

AND WHEREAS Kildare County Council has concluded that the development comprises works to which the provisions of the following applies:

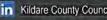
- (a) Sections 2, 3, 4 of the Planning and Development Act 2000 (as amended).
- (b) Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- (c) The nature, extent and purpose of the works,

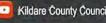
NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that the installation of ventilation hoods onto the external façade to serve internal classroom MHVR units and the repainting of the existing facade at Coláiste Lorcain, Castledermot, Athy, Co. Kildare IS development and IS EXEMPTED development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.

Comhairle Contae Chill Dara, Áras Chill Dara, Páirc Uí Dhubhuí, An Nás, Co. Chill Dara, W91 X77F











The changing block with new insulated bitumen roof laid to falls and rooflights and the replacement of the existing flat roofs and rooflights of the gym hall at Coláiste Lorcain, Castledermot, Athy, Co. Kildare IS NOT development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.

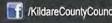
AND

The works to install 2 x air source heat pumps, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system and the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet at Coláiste Lorcain, Castledermot, Athy, Co. Kildare IS development and IS NOT EXEMPTED development pursuant to Article 6 and 9 of the Planning and Development Regulations 2001 as amended.

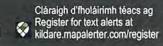
Please note that any person issued with a declaration under subsection 2(a) of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

7th May 2025.

Planning Department.







KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1188

Name Of Applicant(s):	Coláiste Lorcain	
Address Of Development:	Coláiste Lorcain, Castledermot, Co. Kildare	
Development Description:	Repair and maintenance works to existing school building associated with energy reduction programme	
Due date	27 th February 2025	

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the works associated with Block A and C of Coláiste Lorcain to repair, replace and improve the structures in line with the energy reduction programme, is or is not exempted development.

Site Location

The site is located in the centre of Castledermot on the western side of the R448, Abbey Street. The school itself is comprised of a cluster of 2 storey structures located to the rear (southwest) of the Church of the Assumption. The school grounds also encompass some sports field immediately to the north.

Description of Proposed Development

The proposed developments comprise of repairs, replacements and improvements to be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

Block C

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar, repainting of existing facade.

Replacement of the existing flat roofs and rooflights of the gym hall and changing block with new insulated bitumen roof laid to falls and rooflights. The works will also include installation of an air source heat pump.

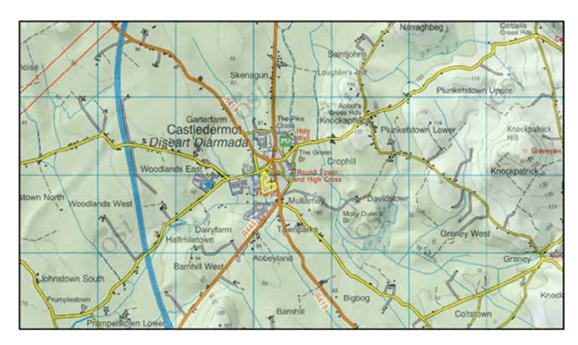


Fig 1: Site Location and context



Fig 2: Aerial view of subject site (GIS)

Planning History

Planning reference 07/888: Planning permission granted to Sean Ashe for the provision of 2 new science rooms and ancillary storage areas in existing canteen alteration to existing stair wells provision

of new external fire escape stairs provision of new fire escape door off existing stairwell etc

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

"alteration" includes—

- (a) plastering or painting or the removal of plaster or stucco, or
- (b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3(1)

In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1)

The following shall be exempted development for the purposes of the Act-

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered,

having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1)(a)(i)

Restrictions on exemption.

- 9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—
- (a) if the carrying out of such development would
- i) contravene a condition or be inconsistent with a use of permission
- (ii) material widening of a means of access to a public road
- (iii) traffic hazard or obstruction of road user.....
- (iiia) hazardous glint and/or glare....
- (iv) infringes building line
- (v) works under a public road (other than certain infrastructural works) ...
- (vi) interfere with the character of a landscape/view of special interest
- (vii) excavation/alteration/demolition of features/places/caves.....
- (viiA) excavation, alteration or demolition of any archaeological monument ...
- (viiB) likely to have a significant effect on the integrity of a European site
- (viiC) likely to have an adverse impact on a a natural heritage area ..
- (viii) extension, alteration, repair or renewal of an unauthorised structure or use....
- (ix) demolition/alteration of building/structure, precluding a use where it is an objective for the structure to remain available for that use....
- (x) consist of the fencing/enclosure of any land habitually used by the public

- (xi) obstruct any public right of way...
- (xii) exterior works materially affecting the character of an ACA...

The full criteria laid out under Article 9 must be considered as part of the assessment of this application.

Class 57

The extension of a school, where the school has not been previously extended under a CLASS 57 exemption, by the construction or erection of an extension to the side or rear of the school.

- 1. The floor area of any such extension shall not exceed 210 square metres.
- 2. No such structure shall be above the ground floor.
- 3. Any extension shall be a distance of not less than 2 metres from any party boundary.
- 4. An exemption under this class shall only be availed of once.
- 5. Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.

Assessment

The proposed developments comprise of repairs, replacements and improvements to be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

 Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

As per section 4(1) of the Planning and Development Act, should the proposed ventilation hoods materially affect the appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, then they would not be considered to be exempted development. The proposed ventilation hoods do not appear to be illustrated on the documents submitted to the Planning Authority. It is unclear as to the quantity or size of the units proposed and their proposed position(s) on the building. As a result, a determination as to whether the *installation of ventilation hoods onto the external facade to serve the*

internal classroom MVHR units cannot yet be made. For this part of the declaration **further information** will be required.

Block C

• The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system.

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system will materially alter the external appearance of the structure and therefore is considered to be works as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) and are therefore deemed to be development. These items are deemed to be 'Works' as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) and are therefore deemed to be development. As per **Section 4(1)** (h) these items due to the fact that they will likely alter the external appearance of the structure <u>are not exempted development</u>.

 The replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors.

The replacement of the existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, are deemed to be works under the definition of 'alteration' as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) because the replacement of the existing double height external timber screens & doors to the gym hall with a curtain walling system with solid aluminium spandrels and doors constitutes a material alteration of the external appearance of the structure potentially rendering the appearance inconsistent with the character of the structure and of neighbouring structures. These items are deemed to be 'Works' as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) and are therefore deemed to be development. As per **Section 4(1)** (h) these items due to the fact that they will likely alter the external appearance of the structure **are not exempted** development.

• The replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar.

In Section 2(1) of the Planning and Development Act 2000 "alteration" includes,

(a) plastering or painting or the removal of plaster or stucco, or

(b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

Under this definition the replacement of the existing windows, doors and glazed screens of the changing block facade with similar would not materially alter the external appearance of the structure so as to render the appearance inconsistent with the remainder of the structure or any surrounding structures. Therefore, these items are not deemed to be <u>works</u> as defined in **Section 2(1)** of the Planning and Development Act 2000 and as a result are <u>not deemed to be development</u>.

• The repainting of existing facade.

It appears as though few details as to the extent of repainting of the existing facade have been submitted. It is noted that the façade of the existing school encompasses a large surface area. It is unclear if the entire structure is the subject of the 'repainting of existing façade'. The repainting (alteration) may or may not be works—this depends on whether or not the painting would materially alter the external appearance. The existing structures have mostly red brick external finishes. It cannot be determined if this item is 'Works' or 'Development'. For this part of the declaration **further information** will be required.

• Replacement of the existing flat roofs and rooflights of the gym hall.

The replacement of the existing flat roofs and rooflights of the gym hall is illustrated in both the Block C Existing Roof Plan and the Block C Proposed Plans. The changes appear to be straightforward replacements of the existing flat roofs and rooflights. As per **Section 2(1) of the Act** under the definition of 'alteration' if the replacement of windows and a roof will not materially alter the external appearance of a structure to render the appearance inconsistent with the character of the structure or any neighbouring structures then it is not considered to be 'works. As a result, this item is not deemed to be development.

 The changing block with new insulated bitumen roof laid to falls and rooflights. Having regard to the documents submitted to the Planning Authority, it is noted that the new roofing design on the Changing Block shall match the existing design and utilise all existing rainwater points. Again, as per **Section 2(1)** of the Act under the definition of 'alteration', as there would be no material alteration to the external appearance of the structure then it is considered that this item is not *works* and therefore not deemed to be *development*.

The works will also include installation of an air source heat pump.

There appears to be 2x proposed air source heat pumps included on the site layout submitted. The first of these will be situated to the northwest of Block C. The second to the north of the front facade of Block A. These will both be enclosed behind a 2.8m high screen. Again, no further details of the size, height and form of the structures have been supplied, therefore it is not possible to decipher if these items constitute 'works' or 'exempted development'. **Further information** is required for this point.

Note:

The Site Layout Plan appears to indicate some additional items on top of that described in the description which is the subject of this declaration request. These are as follows:

- A total of 2 heat pumps where only 1x was mentioned in the development description (1x in Block A not referred to).
- A proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Conclusion

There are some outstanding issues to clarify regarding the repainting of the existing facade, the installation of the ventilation hoods and an air source heat pump.

Recommendation

It is recommended that **further information** be requested as follows:

The applicant is requested to fully clarify the full extent of the proposed works as there are discrepancies between the details noted in the application form and the site layout plan:

- 1. Very little detail has been submitted to support the determination for the 'repainting of existing façade'. It is unclear if the entire school building is the subject of the 'repainting of existing façade'. The applicant is requested to detail the extent of the repainting of the existing façade.
- 2. Very little detail has been submitted to support the determination for the 'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units. It is noted that no information has been submitted to show either the size of the units or their location on the building. For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.
- 3. Very little detail has been submitted to support the determination for the installation of the air source heat pump. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.

The Site Layout Plan appears to indicate 2x additional items on top of that described in the description which is the subject of this declaration request. A second heat pump to the north of Block A has been outlined and also a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. The Applicant is requested to clarify as to why these items have been included in the site layout plan submitted with the Section 5 Declaration.

Signed: 4

Planner: Cian Buckley

Date: 08/04/2025

Tracy McGibbon

Senior Executive Planner

Tray M'Gillon

KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1188 (Report 2)

Name Of Applicant(s):	Coláiste Lorcain	
Address Of Development:	Coláiste Lorcain, Castledermot, Co. Kildare	
Development Description:	Repair and maintenance works to existing school building associated with energy reduction programme	
Due date	19 th May 2025	

Further Information was requested as follows:

 Very little detail has been submitted to support the determination for the 'repainting of existing façade'. It is unclear if the entire school building is the subject of the 'repainting of existing façade'. The applicant is requested to detail the extent of the repainting of the existing façade.

Applicant's Response

In response to the first point in the further information request the Applicant stated the detailed extent of the 'repainting of the existing façade'. The repainting will be limited to only the areas around the proposed works to the façade, in this case around the window/door replacements and the ventilation hood installations. The works are to be carried out on the facade with an existing painted finish and the repainted finish is proposed to match the existing school appearance.

2. Very little detail has been submitted to support the determination for the 'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units. It is noted that no information has been submitted to show either the size of the units or their location on the building. For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.

Applicant's Response

In response to the above point, it has been outlined that 2x MVHR units will be located on the north (side), 2x on the south (side) and 1x on the east (front) elevation on Block A. It is stated that the MVHR units are 300mm (height) x 500mm (width) x 100mm (diameter) and are to be grey powder coated aluminium in appearance.

3. Very little detail has been submitted to support the determination for the installation of the air source heat pump. It is noted that no information has been submitted to show either the size, height or length of these items (elevational drawings). For a determination to be made the applicant is requested to submit elevational drawings of these items, with dimensions.

Applicant's Response

In response to this point the Applicant submitted a revised site layout plan with details of the 2x proposed air source heat pumps. The first heat pump is located in Block A within an existing service yard which has a 3.1m masonry boundary wall which will screen it from view. The 2nd heat pump is located to the rear of the Block C on existing soft landscaping. This is accessible from the existing footpath around the perimeter of the building. This will have 2.8m high acoustic screening.

4. The Site Layout Plan appears to indicate 2x additional items on top of that described in the description which is the subject of this declaration request. A second heat pump to the north of Block A has been outlined and also a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. The Applicant is requested to clarify as to why these items have been included in the site layout plan submitted with the Section 5 Declaration.

Applicant's Response

In the response submitted the Applicant has stated that the 2nd proposed heat pump and the proposed vandal resistant car charging local electrical enclosure, distribution board and dual car charging outlet are to be considered as part of this Section 5 Declaration. A revised site layout plan has been submitted which amends the red site application boundary previously shown so that these proposed works are now included within it.

Assessment

The Applicant has provided further information in relation to the below points as part of the Section 5 Declaration. These can be summarised as the following 4x questions.

Question 1

-Is the installation of ventilation hoods onto the external façade to serve internal classroom MHVR units' development and is it or is it not exempted development?

It is considered that the installation of ventilation hoods onto the external façade of the structure to the side (north and south) and front (east) elevations constitute development and is considered to be works of construction, extension, alteration, repair of the structure and, having regard to the side-facing location of 4x of the units and the minor nature of the 1x front facing unit, the distance the school is set back from the road and the scale of the structure, it is considered that these works fall within the provisions of Section 4(1)(h) of the Planning and Development Act 2000 (as amended) as such works would not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure.

It is considered therefore that the installation of ventilation hoods onto the external façade is development and is exempted development.

Question 2

-Is the **repainting of the existing facade** development and is it or is it not exempted development?

Class 12 of Schedule 2 Part 1 of the Planning and Development Regulations 2001 (as amended) provides an exemption for the painting of any external part of any building or other structure.

-Such painting may not, except in the case of a hoarding or other temporary structure bounding land on which development consisting of works is being or will be carried out in pursuance of a permission granted under Part III of the Act or as exempted development, be for the purposes of creating a mural.

It is considered that the repainting of the façade over the specified areas of the exterior of the building is development and is exempted development.

Question 3

-Is the installation of 2x Heat Pumps located to the side of Block A and Block C development and is it or is it not exempted development?

The site layout plan indicates the location of the proposed Heat Pumps and associated works located 1x on soft landscaping and 1x on an existing service yard. There is no provision in the Planning and Development Regulations 2001 (as amended) for the provision of a heat pump within the curtilage of a school. To this end, it is considered that the provision of the heat pump and associated landscaping/screening is development and is NOT exempted development.

Question 4

-ls the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet development and is it or is it not exempted development?

Class 29A of Schedule 2 Part 1 of the PD Regulations 2001 as amended provides for exemptions for the construction of a charging point for electric vehicles that does not exceed 3.6 cubic metres by volume above ground. The Class also provides for the construction of bollards not exceeding 1.2m in height and 0.2 cubic metres by volume above ground for the purposes of protecting such charging point.

Class 29B of the same Schedule provides for an exemption for development consisting of - (a) the construction of a charging hub for electric vehicles that contain - (i) not more than one substation or mini pillar to which Class 29 applies, and (ii) not more than 4 charging points to which Class 29A applies, or (b) the construction of bollards not exceeding - (i) 1.2 metres in height, and (ii) 0.2 cubic metres by volume above ground, for the purpose of protecting each such charging point.

Insufficient detail has been submitted with regard to the EVC car charging local electrical enclosure distribution board and dual car charging outlet to enable an assessment of same with regard to Class 29A and 29B of the Regulations.

The installation of EVC car charging local electrical enclosure, distribution board and dual car charging outlet is development and at this stage, given the lack of detail submitted with the application, is NOT exempted development.

Recommendation

See draft Declaration attached.

Declaration of Development & Exempted Development under

Section 5 of the Planning and Development Act 2000 (as amended)

WHEREAS a question has arisen as to whether

- The installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.
- The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system.
- The replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors.
- The repainting of existing facade.
- The replacement of the existing flat roofs and rooflights of the gym hall.
- The changing block with new insulated bitumen roof laid to falls and rooflights.
- The works to install 2x air source heat pumps.
- The installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Is development and whether such development is or is not exempted development.

AS INDICATED on the plans and particulars received by the Planning Authority on 25/04/2025

AND WHEREAS the Applicant Eric Gaughan, Colaiste Lorcain, Castledermot has requested a declaration on the said question from Kildare County Council,

AND WHEREAS Kildare County Council as the Planning Authority, in considering this application for a declaration under Section 5 of the Planning and Development Act 2000 (as amended), had regard to;

- 1. Planning and Development Act 2000 (as amended); and
- 2. Planning and Development Regulations 2001 (as amended);

AND WHEREAS Kildare County Council has concluded that the proposal comprises of development to which the provision of the following applies:

1. Sections 2, 3, 4 of the Planning and Development Act 2000 (as amended).

- 2. Article 6 and 9 of the Planning and Development Regulations 2001 (as amended)
- 3. The nature, extent and purpose of the works,

NOW THEREFORE Kildare County Council, in exercise of the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended), hereby decides that -

- The installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.
- The repainting of existing facade.

IS development and IS EXEMPTED development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.

- The changing block with new insulated bitumen roof laid to falls and rooflights.
- The replacement of the existing flat roofs and rooflights of the gym hall.

IS NOT development pursuant to Section 4 1(h) of the Planning and Development Act as amended and of Article 6, Article 9 of the Planning and Development Regulations as amended.

And

- The works to install 2 x air source heat pumps.
- The replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors
- The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system.
- The installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

IS development and IS NOT EXEMPTED development pursuant to Article 6 and 9 of the Planning and Development Regulations 2001 as amended.

Please note that any person issued with a declaration under Section 5 of the Planning and Development Act 2000 (as amended) may on payment to the Board of the prescribed fee, refer a declaration to An Bord Pleanála within 4 weeks of the issuing of the decision.

Signed

Planner: Cian Buckley Date: 01/05/2025

Tray N'Gillon

Tracy McGibbon Senior Executive Planner 06/05/2025

Appendix 1: Appropriate Assessment Screening

APPROPRIATE ASSESSMENT SCREENING REPORT AND

DETERMINATION

(A) Project Details	
Planning File Ref	ED1188
Applicant name	Coláiste Lorcain
Development Location	Coláiste Lorcain, Castledermot, Co. Kildare
Site size	2.01ha
Application accompanied by an EIS (Yes/NO)	No

Distance from Natura 2000 site in km

The nearest special area of conservation is the River Barrow and River Nore SAC approximately 155m southeast of the subject site.

Description of the project/proposed development -

The proposed developments comprise of repairs, replacements and improvements to be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

Block C

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar, repainting of existing facade.

Replacement of the existing flat roofs and rooflights of the gym hall and changing block with new insulated bitumen roof laid to falls and rooflights. The works will also include installation of an air source heat pump.

(B) Identification of Natura 2000 sites which may be impacted by the proposed development		
	Yes/No	
	If answer is yes, identify list name of Natura 2000 site	

			likely to be impacted.
1	Impacts on sites designated for freshwater habitats or species. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh lake	Is the development within a Special Area of Conservation whose qualifying interests include freshwater habitats and/or species, or in the catchment (upstream or downstream) of same?	No
2	Impacts on sites designated for wetland habitats - bogs, fens, marshes and heath. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Mouds Bog, Ballynafagh Bog, Red Bog, Ballynafagh Lake	Is the development within a Special Area of Conservation whose qualifying interests include wetland habitats (bog, marsh, fen or heath), or within 1 km of same?	Yes
3	Impacts on designated terrestrial habitats. Sites to consider: River Barrow and Nore, Rye Water/Carton Valley, Pollardstown Fen, Ballynafagh Lake	Is the development within a Special Area of Conservation whose qualifying interests include woodlands, dunes or grasslands, or within 100m of same?	No
4	Impacts on birds in SPAs Sites to consider: Poulaphouca Resevoir	Is the development within a Special Protection Area, or within 5 km of same?	No

(C) Identif	ication of Potential Impacts on Habitats and Birds.	
1	Impacts on designated rivers, streams, lakes and freshwater dependant habitats and species.	
	Answer the following if the answer to question 1 in table B was YES	
	Does the development involve any of the following:	
1.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	
1.2	Discharge to surface water or groundwater within 5km of SAC.	
1.3	Abstraction from surface water or groundwater within 5km of SAC.	
1.4	Removal of topsoil within 500m of watercourses	
1.5	Infilling or raising of ground levels within 100m of watercourses	

1.6	Construction of drainage ditches within 1km of SAC.
1.7	Installation of wastewater treatment systems; percolation areas; septic tanks within 500 m of watercourses
1.8	Construction within a floodplain or within an area liable to flood
1.9	Crossing or culverting of rivers or streams within 5km of SAC
1.1	Storage of chemicals, hydrocarbons or organic wastes within 1km of a watercourse
1.1	Development of a large scale which involves the production of an EIS
1.1	Development of quarries/mines
1.1 3	Development of windfarms
1.1	Development of pumped hydroelectric stations

1.1	Construction of roads or other infrastructure on peat habitats within 1km rivers, streams, lakes and freshwater dependant habitats	
2	Impacts on designated wetlands - bogs, fens, marshes heath.	and
	Answer the following if the answer to question 2 in tab was YES Does the development involve any of the following:	le B
2.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	NO
2.2	Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site	NO
2.3	Development of a large scale within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site which involves the production of an EIS	NO

3	Impacts on other designated terrestrial habitats (woodland, grasslands)
	Please answer the following if the answer to question 3 in table B YES

	Does the development involve any of the following:	
3.1	Works within the boundary of a Special Area of Conservation.	
3.2	Development within 200m of Natura 2000 site with woodland, grassland or coastal habitats.	
3.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.	
4	Impacts on birds in SPAs Answer the following if the answer to question 4 in table B was YES	
	Does the development involve any of the following:	
4.1	Works within the boundary of a Special Protection Area excluding small extensions/alterations to existing buildings.	
4.2	Erection of wind turbines within 5km of an SPA.	
4.3	Proposed discharges directly to SPA	
4.4	Development of cycleways or walking routes within 100m of SPA	

Conclusion:

If the answer to all of the above is ${f No}$, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

(G) S	(G) SCREENING CONCLUSION STATEMENT		
Seled	eted relevant category for project assessed by ticking box.		
1	AA is not required because the project is directly connected with/necessary to the conservation management of the site		
2	No potential significant affects/AA is not required	X	
3	Significant effects are certain, likely or uncertain. Seek a Natura Impact Statement Reject proposal. (Reject if potentially damaging/inappropriate)		
Justify why it falls into relevant category above (based on information in above tables)			

Having regard to the scale and nature of the proposed works, it is not considered that there will be any impact on the nearest SAC.				
Name:	Cian Buckley			
Position:	Graduate Planner			
Date:	01/05/2025			

Building Design Partnership

Blackhall Green, Dublin 7 Ireland

Tel: +353 (0)1 474 0600



Drawing/Document Register -

Section 5 Application

Project: RePowerEU Pathfinders Programme - Lot 7.3 Project No: P3004467

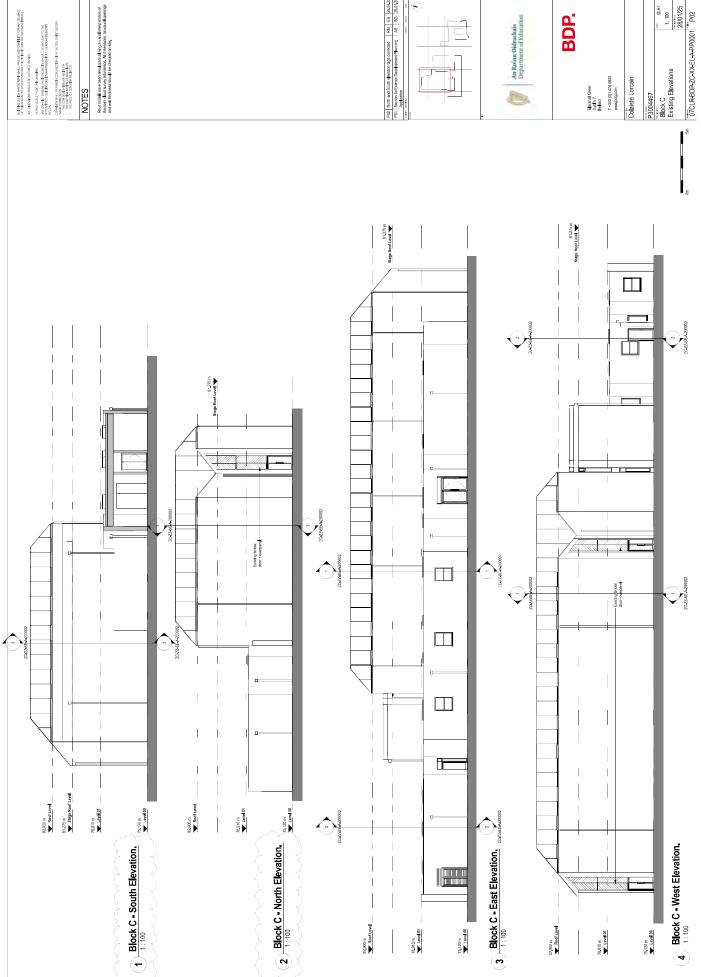
Colaiste Lorcain (Kildare)

Date: 25th April 2025

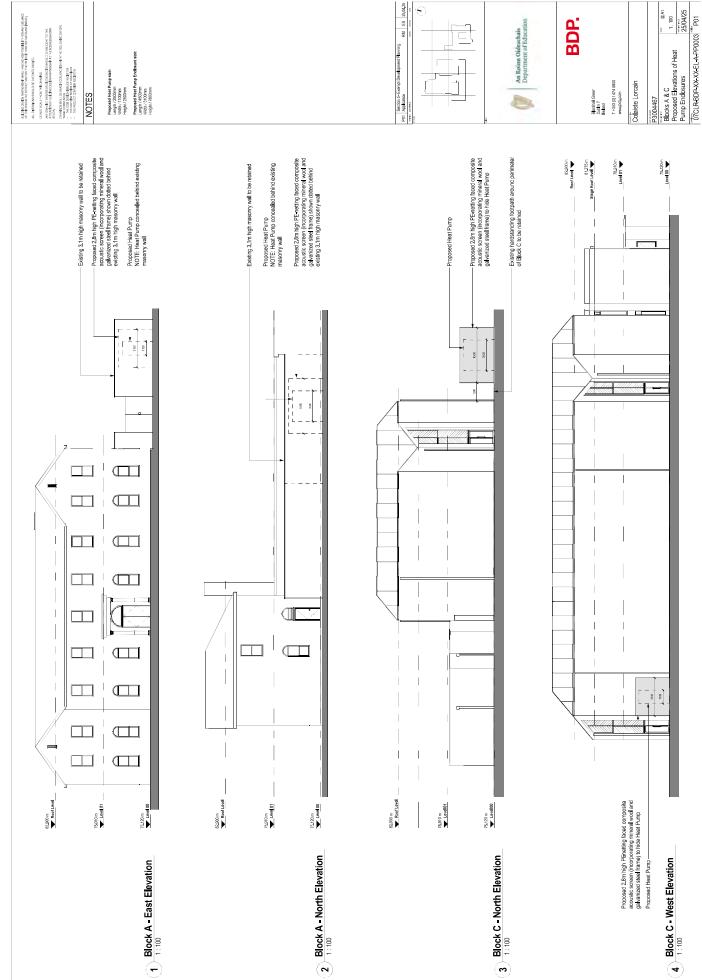
Sender: Elliott Ballam

Drawing Series	Drawing Title	Scale	Rev	Date of Issue
	SITE LOCATION			
07CLR-BDP-XX-XX- PL-A-PP0001	SITE LOCATION PLAN	1:2500@A3	P01	28.01.25
07CLR-BDP-XX-XX- PL-A-PP0002	SITE LAYOUT PLAN	1:2500@A3	P03	25.04.25
	EXISTING BUILDING			
BLOCK A				
07CLR-BDP-ZA-00- PL-A-PP0001	BLOCK A - EXISTING GA PLAN - LEVEL 00	1:100@A1	P01	28.01.25
07CLR-BDP-ZA-R1- PL-A-PP0001	BLOCK A - EXISTING ROOF PLAN	1:100@A1	P01	28.01.25
07CLR-BDP-ZA-XX- EL-A-PP0001	BLOCK A - EXISTING ELEVATIONS	1:100@A1	P01	28.01.25
BLOCK C				
07CLR-BDP-ZC-00- PL-A-PP0001	BLOCK C - EXISTING GA PLAN – LEVEL 00	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-R1- PL-A-PP0001	BLOCK C - EXISTING ROOF PLAN	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-ZZ- SE-A-PP0001	BLOCK C – EXISTING GA SECTIONS	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-XX- EL-A-PP0001	BLOCK C-EXISTING ELEVATIONS	1:100@A1	P02	25.04.25
	PROPOSED WORKS			
BLOCK A				
07CLR-BDP-ZA-XX- EL-A-PP0002	BLOCK A - PROPOSED ELEVATIONS	1:100@A1	P02	25.04.25

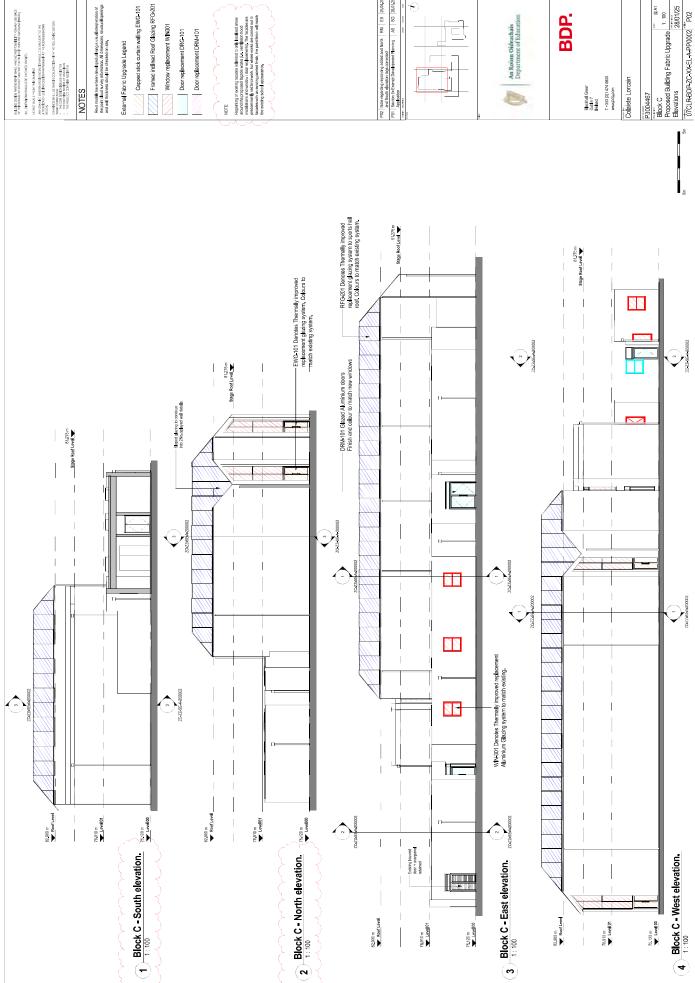
BLOCK C				
07CLR-BDP-ZC-00-	BLOCK C - BUILDING FABRIC UPDATES SCOPING	1:100@A1	P01	28.01.25
PL-A-PP0002	PLAN – LEVEL 00			
07CLR-BDP-ZC-01-	BLOCK C – BUILDING FABRIC UPDATES SCOPING	1:100@A1	P01	28.01.25
PL-A-PP0002	PLAN – LEVEL 01			
07CLR-BDP-ZC-RP-	BLOCK C – ROOF SCOPE PLAN	1:100@A1	P01	28.01.25
PL-A-PP0001				
07CLR-BDP-ZC-XX-	BLOCK C – PROPOSED GA SECTIONS	1:100@A1	P01	28.01.25
SE-A-PP0002				
07CLR-BDP-ZC-XX-	BLOCK C – PROPOSED BUILDING FABRIC	1:100@A1	P02	25.04.25
EL-A-PP0002	UPGRADE ELEVATIONS			
BOTHBLOCKS				
07CLR-BDP-XX-	BLOCKS A & C - PROPOSED ELEVATIONS OF	1:100@A1	P01	25.04.25
XX-EL-A-PP0003	HEAT PUMP ENCLOSURES			



Anobal Don IStrate Month Rower Patriciae Programm 2094 (0.3-2604); 224(3-4004)



BDP.



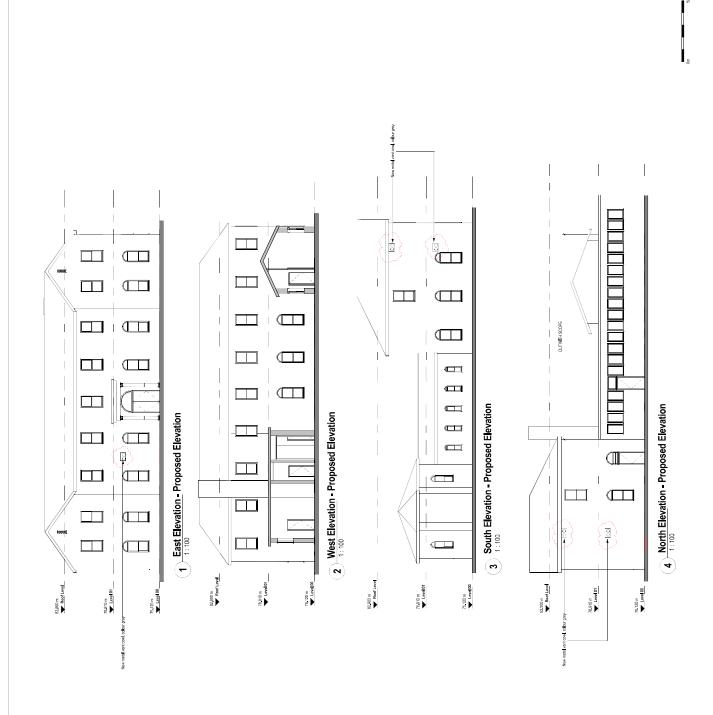
PIZ Note reparting repaining action and North RN E9 53,04,25 and South elevation tage corrected PII Secure 2. Secure 3. Secure NOTE:

Repeting of south section is finish to relicited or the Repeting of south section of the Repeting of south section of the Repeting of t BDP. An Roinn Oideachais Department of Education T +353 [0]1 474 0600 www.bdp.com Colaiste Lorcain

Capped stick curtain walling EWG-101

Window replacement WIN301

Block C Proposed Building Fabric Upgrade 1:100 Elevations 28/01/25 07CLR-BDP-ZC-XX-EL-A-PP0002 "" P02



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NOTES

07CLR-BDP-ZA-XX-EL-A-PP0002 *** P02

Block A Proposed Building Elevations

BDP.

Bachhall Greer Dublin 7 Ireland T+333 pj1474 0800 www.bdp.com

Colaiste Lorcair

P3004467

Ref: ED/1188



25 April 2025

Kildare CoCo Planning Department

Devoy Park, Naas,

Co. Kildare

W91 X77F

BDP, Blackhall Green, Dublin 7 Ireland, D07 V0RF T +353 [0]1 474 0600 **bdp.com**

RE: Further Information Response pertaining to our Application for a Declaration for Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at Colaiste Lorcain, Castledermot, Co. Kildare (ED/1188)

Dear Sir/Madam

We acknowledge receipt of your letter (ref: ED/1188) received on the 24th April 2025 outlining that further information is required in order for Kildare CoCo to properly assess our Section 5 Declaration Application for Colaiste Lorcain (application dated 30th January 2025).

We must note that this request has been received twelve weeks following our submission, significantly outside the statutory four-week response period, and given the absence of any timely response, we proceeded to tender and now have a valid tender in place, ready to proceed to contract.

Nonetheless, we hereby provide said further information, and outline below our detailed responses to the items raised within the letter received:

1. Very little detail has been submitted to support the determination for the 'repainting of existing façade'. Applicant is requested to detail the extent of the repainting of the existing façade.

BDP Comment: The detailed extent of repainting of the existing façade can be noted as being limited to only localised areas around the proposed façade works (i.e. ventilation hood installations and window / door replacements). The facades are predominantly red brickwork, but where works are carried out to facades with an existing painted finish, the paint finish will match the existing school appearance.

For clarification purposes, notes have been added to the proposed elevational drawings.

Please refer to Drawings:

- "07CLR-BDP-ZA-XX-EL-A-PP0002 (REV P02)"
- "07CLR-BDP-ZC-XX-EL-A-PP0002 (REV_P02)"



2. Very little detail has been submitted to support the determination for the 'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units. No information has been submitted to show either the size of the units or their location on the building. Applicant is requested to submit elevational drawings of these items, with dimensions.

BDP Comment: A revised version of the "Block A – Proposed Elevations" Drawing is appended to this correspondence which provides greater detail regarding the size and location of the MVHR associated ventilation hoods on the existing buildings. It can be noted that there are 2no. ventilation hoods located on the North & South Elevations respectively, with 1no. ventilation hood located on the East Elevation. These ventilation hoods are 300mm (H) x 500mm (W) x 100mm (D) in size, and are to be grey powder coated aluminium in appearance. For clarification purposes, it can be noted that there are no MVHR units and associated ventilation hoods on Block C.

Please refer to Drawing: "07CLR-BDP-ZA-XX-EL-A-PP0002 (REV_P02)"

3. Very little detail has been submitted to support the determination for the installation of the air source heat pump. No information has been submitted to show either the size, height or length of these items (elevational drawings). Applicant is requested to submit elevational drawings of these items, with dimensions.

BDP Comment: A revised version of the "Site Layout Plan" Drawing is appended to this correspondence which provides greater detail regarding the size, height and length of the 2nr proposed Air Source Heat Pumps as well as their associated enclosures which are located in proximity to Block A and Block C respectively. It can be noted that the ASHP adjacent to Block A is located within an existing service yard which has a 3.1m high masonry boundary wall which will conceal the visibility of same. The ASHP adjacent to Block C is discretely located to the rear of the Gymnasium on existing soft landscaping which is directly accessible from the existing footpath around the perimeter of the building.

As requested, a new elevational drawing "Block A & C - Proposed Elevations of Heat Pump Enclosures" is appended to this correspondence which captures these items within the context of the existing school. These elevational drawings capture the ASHP unit size as well as the extent of the 2.8m high acoustic screening.

Please refer to Drawings:

- "07CLR-BDP-XX-XX-PL-A-PP0002 (REV_P03)"
- "07CLR-BDP-XX-XX-EL-A-PP0003 (REV_P01)"
- 4. Site Layout Plan appears to indicate 2x additional items on top of that described in the description which is the subject of this declaration request. A second heat pump to the north of Block A has been outlined and a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. The Applicant is requested to clarify as to why these items have been included in the site layout plan submitted with the Section 5 Declaration.

BDP Comment: The 2x additional items noted on top of that described in the application form description (i.e. second heat pump to the north of Block A and the vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet) are to be considered as part of this Section 5 Declaration. It can be confirmed that these items are located within the Site Application Boundary.

Please refer to Drawing: "07CLR-BDP-XX-XX-PL-A-PP0002 (REV P03)"



We trust that the commentary contained within this letter and the appended drawings (listed below) provides the sufficient further information required in order for our Section 5 Declaration to be assessed.

- 07CLR-BDP-XX-XX-PL-A-PP0002 Site Layout Plan (REV_P03)
- 07CLR-BDP-ZA-XX-EL-A-PP0002 Block A Proposed Elevations (REV_P02)
- 07CLR-BDP-ZC-XX-EL-A-PP0001 Block C Existing Elevations (REV_P02)
- O7CLR-BDP-ZC-XX-EL-A-PP0002 Block C Proposed Building Fabric Upgrade Elevations (REV_P02)
- 07CLR-BDP-XX-XX-EL-A-PP0003 Block A & C Proposed Elevations of Heat Pump Enclosures (REV_P01)

Please be advised that this project is part of a RePowerEU Programme with a one-off funding opportunity that <u>must</u> be delivered this summer 2025 in order to meet the programme requirements. Any further delays to the commencement of works will result in the project not being available to proceed in the timeframe required thus losing a significant deep retrofit and investment opportunity for Colaiste Lorcain.

Given the requirement for these works to be carried out during this upcoming summer and the delays already experienced in this Section 5 process, we kindly request that a response is provided in a timely manner. Please note that ourselves and the Department of Education(cc'd) are available to meet to discuss and expedite this process.

Should you have any queries please do not hesitate to contact me otherwise we welcometimely receipt of the Council's determination.

Yours sincerely

Elliott Ballam

Associate Architect

Ballow

BDP

Direct Line: +353 [0]1 474 0644

E-Mail: elliott.ballam@bdp.com

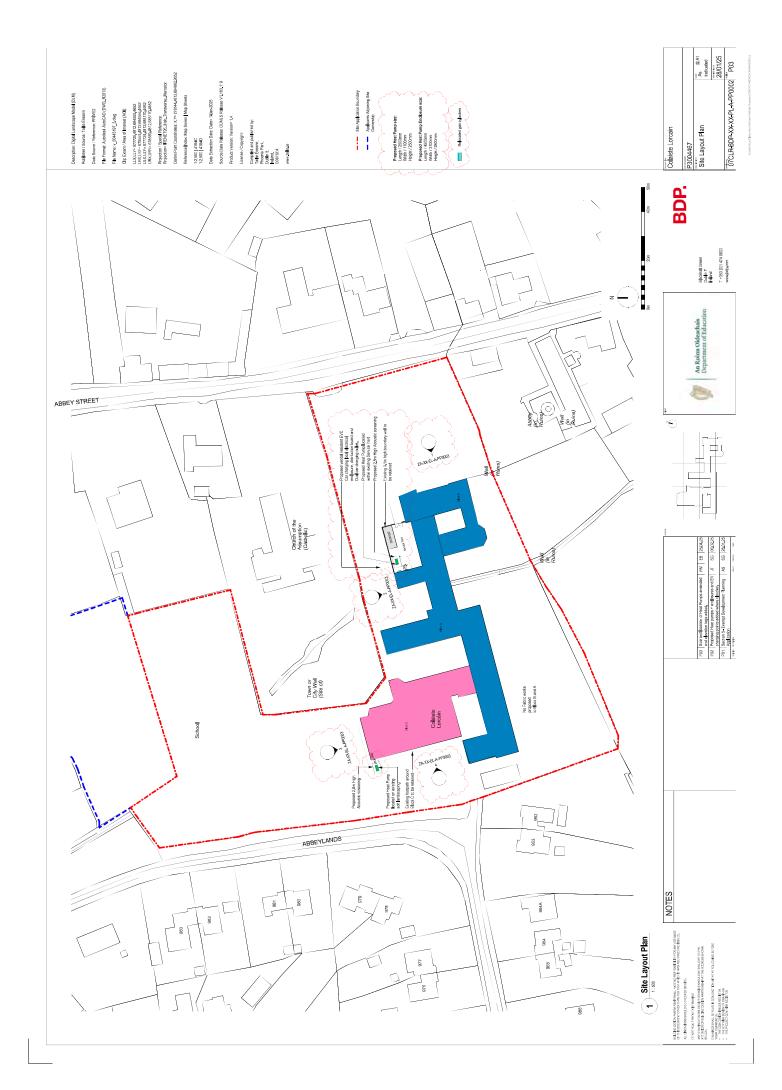
Cc Scott Geoghan (BDP)

Cc Shane Fleming (KSN)

Cc Diarmuid Waters (RRPM)

Cc Maeve Harney (DoE)

Cc David Beagon (DoE)





Date: 24th April 2025. Our Ref: ED/1188.

Eric Gaughan, Colaiste Lorcain, C/o BDP. Blackhall Green. Dublin 7 D07 V0RF

RE: Application for a Declaration of Exempted Development under Section 5 of the Planning and Development Act 2000 (as amended) at Coláiste Lorcain, Castledermot, Co. Kildare.

Dear Sir/Madam,

I refer to your application for a Section 5 Declaration received on 30th January 2025. The following further information is required to properly assess your application.

- 1. Very little detail has been submitted to support the determination for the 'repainting of existing façade'. Applicant is requested to detail the extent of the repainting of the existing façade.
- 2. Very little detail has been submitted to support the determination for the 'installation of ventilation hoods onto the external façade to serve internal classroom MVHR units. No information has been submitted to show either the size of the units or their location on the building. Applicant is requested to submit elevational drawings of these items, with dimensions.
- 3. Very little detail has been submitted to support the determination for the installation of the air source heat pump. No information has been submitted to show either the size, height or length of these items (elevational drawings). Applicant is requested to submit elevational drawings of these items, with dimensions.
- 4. Site Layout Plan appears to indicate 2x additional items on top of that described in the description which is the subject of this declaration request. A second heat pump to the north of Block A has been outlined and a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. The Applicant is requested to clarify as to why these items have been included in the site layout plan submitted with the Section 5 Declaration.



The time period for the Council's determination shall commence upon receipt of the above information.

Yours sincerely,

Planning Department

KILDARE COUNTY COUNCIL



PLANNING & STRATEGIC DEVELOPMENT DEPARTMENT

Section 5 referral & declaration on development & exempted development

Planning & Development Act 2000 (as amended)

Reference No. ED/1188		
Name Of Applicant(s):	Coláiste Lorcain	
Address Of Development:	Coláiste Lorcain, Castledermot, Co. Kildare	
Development Description:	Repair and maintenance works to existing school	
	building associated with energy reduction	
	programme	
Due date	27 th February 2025	

Introduction

This is a request for a **DECLARATION** under Section 5(1) of the Planning and Development Act 2000 (as amended) to establish whether under Section 5 of the Act the works associated with Block A and C of Coláiste Lorcain to repair, replace and improve the structures in line with the energy reduction programme, is or is not exempted development.

Site Location

The site is located in the centre of Castledermot on the western side of the R448, Abbey Street. The school itself is comprised of a cluster of 2 storey structures located to the rear (southwest) of the Church of the Assumption. The school grounds also encompass some sports field immediately to the north.

Description of Proposed Development

The proposed developments comprise of repairs, replacements and improvements to be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

Block C

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external

timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar, repainting of existing facade.

Replacement of the existing flat roofs and rooflights of the gym hall and changing block with new insulated bitumen roof laid to falls and rooflights. The works will also include installation of an air source heat pump.



Fig 1: Site Location and context



Fig 2: Aerial view of subject site (GIS)

Planning History

Planning reference 07/888: Planning permission granted to Sean Ashe for the provision of 2 new science rooms and ancillary storage areas in existing canteen

alteration to existing stair wells provision of new external fire escape stairs provision of new fire escape door off existing stairwell etc

Relevant Legislative Background

Planning and Development Act 2000 (as amended)

Section 2(1)

"alteration" includes—

- (a) plastering or painting or the removal of plaster or stucco, or
- (b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

'works' includes any act or operation of construction, excavation, demolition, extension, alteration, repair or renewal and, in relation to a protected structure or proposed protected structure, includes any act or operation involving the application or removal of plaster, paint, wallpaper, tiles or other material to or from the surfaces of the interior or exterior of a structure.

Section 3(1)

In this Act, 'development' means, except where the context otherwise requires, the carrying out of any works on, in, over or under land or the making of any material change in the use of any structures or other land.

Section 4(1)

The following shall be exempted development for the purposes of the Act-

(h) development consisting of the carrying out of works for the maintenance, improvement or other alteration of any structure, being works which affect only the interior of the structure or which do not materially affect the external appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures;

Section 5(7) EIA Screening

The proposed development is not specified in Part 2 of Schedule 5 of the Planning and Development Regulations 2001(as amended). In any event, it is considered, having regard to nature, size and location, the proposed development would not be likely to have significant effects on the environment. Therefore, EIA is not required.

Planning and Development Regulations 2001 (as amended)

Article 6(1)

Subject to article 9, development of a class specified in column 1 of Part 1 of Schedule 2 shall be exempted development for the purposes of the Act, provided that such development complies with the conditions and limitations specified in column 2 of the said Part 1 opposite the mention of that class in the said column 1.

Article 9 (1)(a)(i)

Restrictions on exemption.

- 9. (1) Development to which article 6 relates shall not be exempted development for the purposes of the Act—
- (a) if the carrying out of such development would
- i) contravene a condition or be inconsistent with a use of permission
- (ii) material widening of a means of access to a public road
- (iii) traffic hazard or obstruction of road user.....
- (iiia) hazardous glint and/or glare....
- (iv) infringes building line
- (v) works under a public road (other than certain infrastructural works) ...
- (vi) interfere with the character of a landscape/view of special interest
- (vii) excavation/alteration/demolition of features/places/caves.....
- (viiA) excavation, alteration or demolition of any archaeological monument ...
- (viiB) likely to have a significant effect on the integrity of a European site
- (viiC) likely to have an adverse impact on a a natural heritage area ..
- (viii) extension, alteration, repair or renewal of an unauthorised structure or use....
- (ix) demolition/alteration of building/structure, precluding a use where it is an objective for the structure to remain available for that use....
- (x) consist of the fencing/enclosure of any land habitually used by the public
- (xi) obstruct any public right of way...
- (xii) exterior works materially affecting the character of an ACA...

The full criteria laid out under Article 9 must be considered as part of the assessment of this application.

Class 57

The extension of a school, where the school has not been previously extended under a CLASS 57 exemption, by the construction or erection of an extension to the side or rear of the school.

- 1. The floor area of any such extension shall not exceed 210 square metres.
- 2. No such structure shall be above the ground floor.
- 3. Any extension shall be a distance of not less than 2 metres from any party boundary.
- 4. An exemption under this class shall only be availed of once.
- 5. Such structure shall comply with the Department of Education Primary and Post Primary Technical Guidance Documents for the time being in force.

Assessment

The proposed developments comprise of repairs, replacements and improvements to be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

 Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

As per section 4(1) of the Planning and Development Act, should the proposed ventilation hoods materially affect the appearance of the structure so as to render the appearance inconsistent with the character of the structure or of neighbouring structures, then they would not be considered to be exempted development. The

proposed ventilation hoods do not appear to be illustrated on the documents submitted to the Planning Authority. It is unclear as to the quantity or size of the units proposed and their proposed position(s) on the building. As a result, a determination as to whether the *installation of ventilation hoods onto the external facade to serve the internal classroom MVHR* units cannot yet be made. For this part of the declaration **further information** will be required.

Block C

 The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system.

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system will materially alter the external appearance of the structure and therefore is considered to be works as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) and are therefore deemed to be development. As per **Article 9(1)(a)(i)** of the Planning and Development Regulations 2001 none of said *restrictions on exemption* apply in this case therefore the works are considered to be exempted development.

 The replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors.

The replacement of the existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, are deemed to be works under the definition of 'alteration' as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) because the replacement of the existing double height external timber screens & doors to the gym hall with a curtain walling system with solid aluminium spandrels and doors constitutes a material alteration of the external appearance of the structure potentially rendering the appearance inconsistent with the character of the structure and of neighbouring structures. These items are deemed to be 'Works' as stated in Section 2(1) of the Planning and Development Act 2000 (as amended) and are therefore deemed to be development. As per **Section 4(1)** (h) these items due to the fact that they will likely alter the external appearance of the structure **are not exempted** development.

• The replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar.

In Section 2(1) of the Planning and Development Act 2000 "alteration" includes, (a) plastering or painting or the removal of plaster or stucco, or (b) the replacement of a door, window or roof,

that materially alters the external appearance of a structure so as to render the appearance inconsistent with the character of the structure or neighbouring structures;

Under this definition the replacement of the existing windows, doors and glazed screens of the changing block facade with similar would not materially alter the external appearance of the structure so as to render the appearance inconsistent with the remainder of the structure or any surrounding structures. Therefore, these items

are not deemed to be <u>works</u> as defined in **Section 2(1)** of the Planning and Development Act 2000 and as a result are not deemed to be development.

• The repainting of existing facade.

It appears as though few details as to the extent of repainting of the existing facade have been submitted. It is noted that the façade of the existing school encompasses a large surface area. It is unclear if the entire structure is the subject of the 'repainting of existing façade'. The repainting (alteration) may or may not be works—this depends on whether or not the painting would materially alter the external appearance. The existing structures have mostly red brick external finishes. It cannot be determined if this item is 'Works' or 'Development'. For this part of the declaration **further information** will be required.

· Replacement of the existing flat roofs and rooflights of the gym hall.

The replacement of the existing flat roofs and rooflights of the gym hall is illustrated in both the Block C Existing Roof Plan and the Block C Proposed Plans. The changes appear to be straightforward replacements of the existing flat roofs and rooflights. As per **Section 2(1) of the Act** under the definition of 'alteration' if the replacement of windows and a roof will not materially alter the external appearance of a structure to render the appearance inconsistent with the character of the structure or any neighbouring structures then it is not considered to be 'works. As a result, this item is not deemed to be development.

• The changing block with new insulated bitumen roof laid to falls and rooflights.

Having regard to the documents submitted to the Planning Authority, it is noted that the new roofing design on the Changing Block shall match the existing design and utilise all existing rainwater points. Again, as per **Section 2(1)** of the Act under the definition of 'alteration', as there would be no material aleration to the external appearance of the structure then it is considered that this item is not *works* and therefore not deemed to be *development*.

The works will also include installation of an air source heat pump.

There appears to be 2x proposed air source heat pumps included on the site layout submitted. The first of these will be situated to the northwest of Block C. The second to the north of the front facade of Block A. These will both be enclosed behind a 2.8m high screen. Again, no further details of the size, height and form of the structures have been supplied, therefore it is not possible to decipher if these items constitute 'works' or 'exempted development'. **Further information** is required for this point.

Note:

The Site Layout Plan appears to indicate some additional items on top of that described in the description which is the subject of this declaration request. These are as follows:

- A total of 2 heat pumps where only 1x was mentioned in the development description (1x in Block A not referred to).
- A proposed vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet.

Conclusion

There are some outstanding issues to clarify regarding the repainting of the existing facade, the installation of the ventilation hoods and an air source heat pump.

Recommendation

It is recommended that **further information** be requested as follows:

The applicant is requested to fully clarify the full extent of the proposed works as there are discrepancies between the details noted in the application form and the site layout plan:

- Very little detail has been submitted to support the determination for the
 'repainting of existing façade'. It is unclear if the entire school building is the
 subject of the 'repainting of existing façade'. The applicant is requested to
 detail the extent of the repainting of the existing façade.
- Very little detail has been submitted to support the determination for the
 'installation of ventilation hoods onto the external façade to serve internal
 classroom MVHR units. It is noted that no information has been submitted to
 show either the size of the units or their location on the building. For a
 determination to be made the applicant is requested to submit elevational
 drawings of these items, with dimensions.
- Very little detail has been submitted to support the determination for the
 installation of the air source heat pump. It is noted that no information has
 been submitted to show either the size, height or length of these items
 (elevational drawings). For a determination to be made the applicant is
 requested to submit elevational drawings of these items, with dimensions.

The Site Layout Plan appears to indicate 2x additional items on top of that described in the description which is the subject of this declaration request. A second heat pump to the north of Block A has been outlined and also a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging outlet. The Applicant is requested to clarify as to why these items have been included in the site layout plan submitted with the Section 5 Declaration.

Signed: Planner: Cian Buckley Date: 08/04/2025

Tray M'Gillon

Tracy McGibbon Senior Executive Planner 23/04/2025

Appendix 1: Appropriate Assessment Screening



APPROPRIATE ASSESSMENT SCREENING REPORT AND DETERMINATION

(A) Project Details	
Planning File Ref	ED1188
Applicant name	Coláiste Lorcain
Development Location	Coláiste Lorcain, Castledermot, Co. Kildare
Site size	2.01ha
Application	No
accompanied by an EIS (Yes/NO)	
Distance from Natura	The nearest special area of conservation is the River
2000 site in km	Barrow and River Nore SAC approximately 155m
	southeast of the subject site.
Description of the project/proposed development –	
The proposed developmen	ts comprise of repairs, replacements and improvements to

be made to 2 separate parts of Coláiste Lorcain in Castledermot.

Block A

Installation of ventilation hoods onto the external facade to serve internal classroom MHVR units.

Block C

The replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, replacement of existing windows, doors and glazed screens to the adjacent changing block facade with similar, repainting of existing facade.

Replacement of the existing flat roofs and rooflights of the gym hall and changing block with new insulated bitumen roof laid to falls and rooflights. The works will also include installation of an air source heat pump.

	Identification of Natura 2000 posed development) sites which may be impa	cted by the
			Yes/No If answer is yes, identify list name of Natura 2000 site likely to be impacted.
1	Impacts on sites	Is the development	
	designated for freshwater	within a Special Area of	
	habitats or species.	Conservation whose	
		qualifying interests	
	Sites to consider: River	include freshwater	No
	Barrow and Nore, Rye	habitats and/or species,	
	Water/Carton Valley,	or in the catchment	
	Pollardstown Fen,	(upstream or	
	Ballynafagh lake	downstream) of same?	
2	Impacts on sites	Is the development	
	designated for wetland	within a Special Area of	
	habitats - bogs, fens,	Conservation whose	
	marshes and heath.	qualifying interests	
	Sites to consider: River	include wetland habitats	Yes
	Barrow and Nore, Rye	(bog, marsh, fen or	
	Water/Carton Valley,	heath), or within 1 km of	
	Pollardstown Fen, Mouds	same?	

	Bog, Ballynafagh Bog, Red		
	Bog, Ballynafagh Lake		
3	Impacts on designated	Is the development	
	terrestrial habitats.	within a Special Area of	
	Sites to consider: River	Conservation whose	
	Barrow and Nore, Rye	qualifying interests	No
	Water/Carton Valley,	include woodlands,	
	Pollardstown Fen,	dunes or grasslands, or	
	Ballynafagh Lake	within 100m of same?	
4	Impacts on birds in SPAs	Is the development	
	Sites to consider:	within a Special	No
	Poulaphouca Resevoir	Protection Area, or within	140
		5 km of same?	

(C) Identif	fication of Potential Impacts on Habitats and Birds.
1	Impacts on designated rivers, streams, lakes and freshwater dependant habitats and species.
	Answer the following if the answer to question 1 in table B was YES
	Does the development involve any of the following:
1.1	Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.
1.2	Discharge to surface water or groundwater within 5km of SAC.
1.3	Abstraction from surface water or groundwater within 5km of SAC.
1.4	Removal of topsoil within 500m of watercourses
1.5	Infilling or raising of ground levels within 100m of watercourses
1.6	Construction of drainage ditches within 1km of SAC.
1.7	Installation of wastewater treatment systems; percolation areas; septic tanks within 500 m of watercourses
1.8	Construction within a floodplain or within an area liable to flood

Crossing or culverting of rivers or streams within 5km of SAC	
Storage of chemicals, hydrocarbons or organic wastes within 1km of a watercourse	
Development of a large scale which involves the production of an EIS	
Development of quarries/mines	
Development of windfarms	
Development of pumped hydroelectric stations	
Construction of roads or other infrastructure on peat habitats within 1km rivers, streams, lakes and freshwater dependant habitats	
Impacts on designated wetlands - bogs, fens, marshes heath. Answer the following if the answer to question 2 in take was YES Does the development involve any of the following:	
Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings.	NO
Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site	NO
Development of a large scale within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site which involves the production of an EIS	NO
	Storage of chemicals, hydrocarbons or organic wastes within 1km of a watercourse Development of a large scale which involves the production of an EIS Development of quarries/mines Development of windfarms Development of pumped hydroelectric stations Construction of roads or other infrastructure on peat habitats within 1km rivers, streams, lakes and freshwater dependant habitats Impacts on designated wetlands - bogs, fens, marshes heath. Answer the following if the answer to question 2 in take was YES Does the development involve any of the following: Works within the boundary of a Special Area of Conservation excluding small extensions/alterations to existing buildings. Construction of roads or other infrastructure on peat habitats within 1km of bog, marsh, fen or heath habitat within a Natura 2000 site

3	Impacts on other designated terrestrial habitats (woodland, grasslands)	
	Please answer the following if the answer to question 3 in table B YES	
	Does the development involve any of the following:	
3.1	Works within the boundary of a Special Area of Conservation.	

3.2	Development within 200m of Natura 2000 site with woodland, grassland or coastal habitats.
3.3	Development of a large scale within 1km of Natura 2000 site with woodland, grassland or coastal habitats which involves the production of an EIS.
4	Impacts on birds in SPAs
	Answer the following if the answer to question 4 in table B was YES
	Does the development involve any of the following:
4.1	Works within the boundary of a Special Protection Area excluding small extensions/alterations to existing buildings.
4.2	Erection of wind turbines within 5km of an SPA.
4.3	Proposed discharges directly to SPA
4.4	Development of cycleways or walking routes within 100m of SPA

Conclusion:

If the answer to all of the above is **No**, significant impacts can be ruled out for habitats and bird species.

No further assessment in relation to habitats or birds is required.

If the answer is **Yes** refer to the relevant sections of **C**.

	SCREENING CONCLUSION STATEMENT cted relevant category for project assessed by ticking box.	
1	AA is not required because the project is directly connected	
	with/necessary to the conservation management of the site	
2	No potential significant affects/AA is not required	X
3	Significant effects are certain, likely or uncertain.	
	Seek a Natura Impact Statement	
	Reject proposal. (Reject if potentially damaging/inappropriate)	
Justi	y why it falls into relevant category above (based on information	
in ab	ove tables)	
	g regard to the scale and nature of the proposed works, it is not dered that there will be any impact on the nearest SAC.	

Name:	Cian Buckley
Position:	Graduate Planner
Date:	08/04/2025

COMHAIRLE CONTAE CHILL DARA KILDARE COUNTY COUNCIL



Director of Services Order

I, Alan Dunney, Director of Services, am duly authorised and delegated by Chief Executive's Order number: CE48043 to make the following Order in accordance with Section 154 of the Local Government Act, 2001, as amended.

ORDER NO: DO58371 Section: Planning

SUBJECT: ED1188 Eric Gaughan, Colaiste Lorcain c/o Building Design

partnership (BDP), Blackhall Green, Dublin 7. Exempt Development Application for the installation of ventilation hoods onto the external facade to serve internal classroom MHVR units, replacement of existing high level external single glazed system to the gym hall with double glazed curtain wall system, replacement of existing double height external timber screens & doors to gym hall with curtain walling system with solid aluminium spandrels and doors, repainting of existing façade, replacement of the existing flat roofs and

rooflights of the gym hall, changing block with new insulated bitumen roof laid to falls and rooflights, works to install 2x air source heat pumps and the installation of a vandal resistant EVC car charging local electrical enclosure, distribution board and dual car charging

outlet

SUBMITTED: ED1188 with recommendation from the Senior Executive Planner

and reports from the Council's Technical Officers

ORDER: I hereby order the following Kildare County Council, in exercise of

the powers conferred on it by Section 5(2)(a) of the Planning and Development Act 2000 (as amended) hereby decides that the installation of ventilation hoods onto the external facade to serve internal classroom MHVR units and the repainting of the existing facade only is development and is exempted development

MADE THIS _____ DAY

--- 100E

DIRECTOR OF SERVICES

Kildare County Council

Declaration of Exempt Development under Section 5, of the Planning and Development Act 2000

Incomplete application forms will be deemed <u>invalid</u> and <u>returned</u>

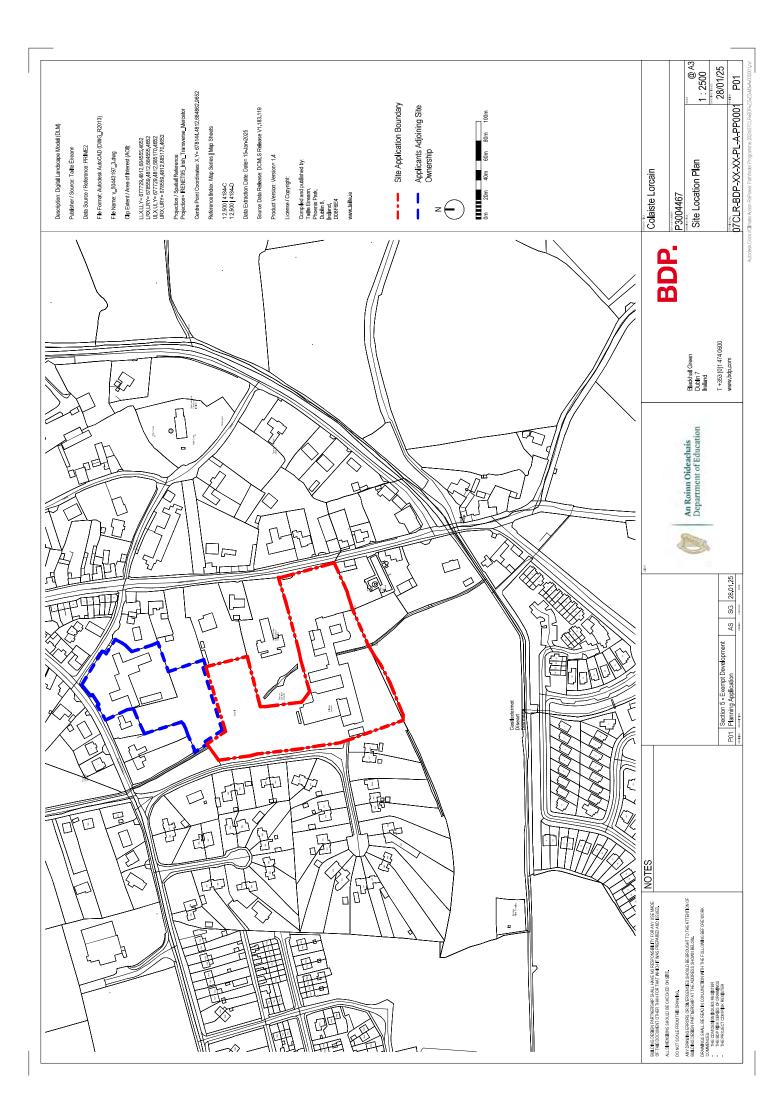
REDUCTION PROGRAMME

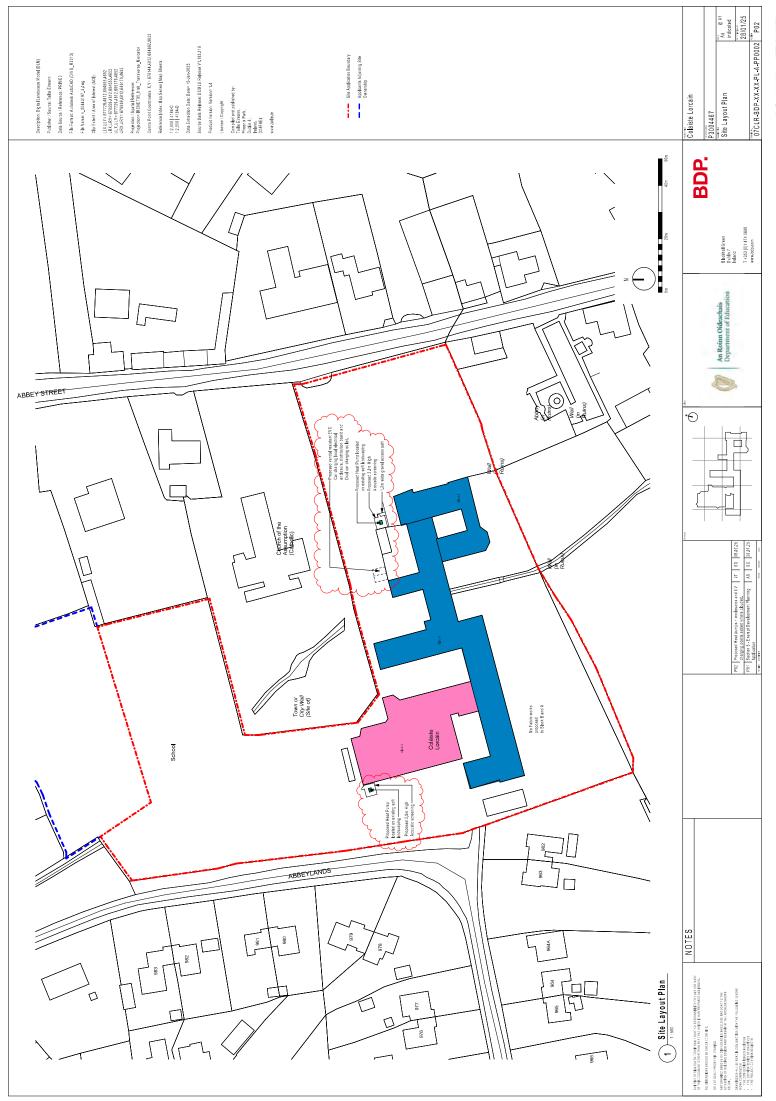


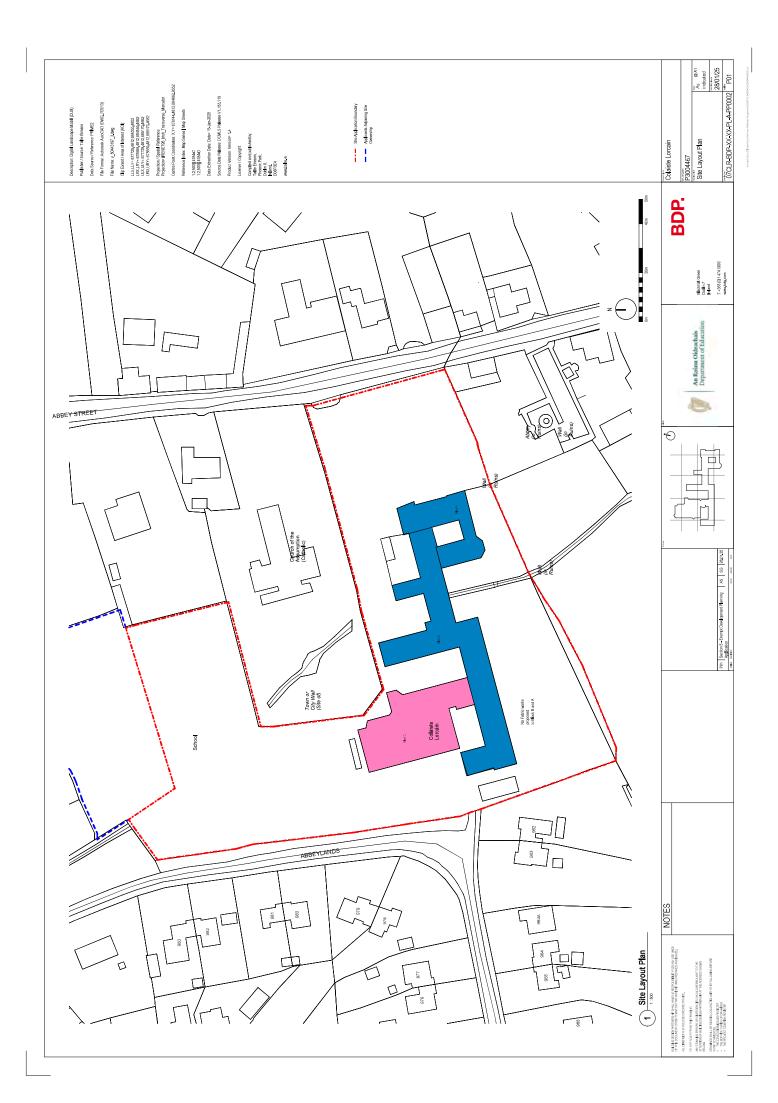
All responses must be in <u>block</u> <u>letters</u>

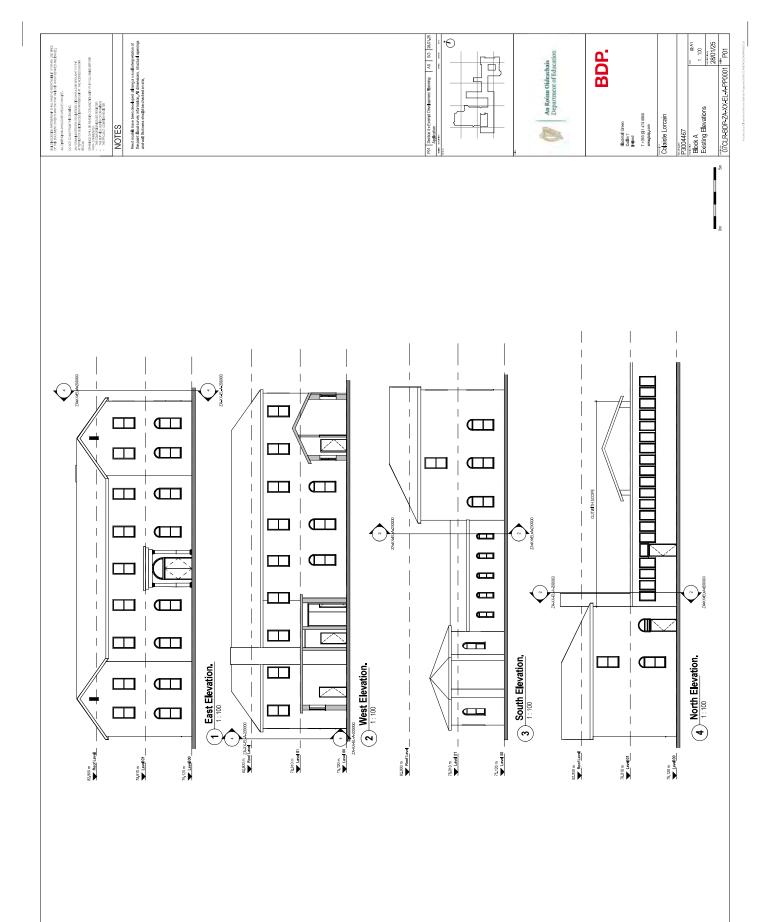
Section 1	Details of Applicants	
	olicant(s) A. Surname, GAUGHAN For Phone No. Far DLAISTE LORCAIN, CASTLEDERMOT, ATHY, CO. K	ıx No
Section 2	Person/Agent acting on behalf of applicant (i	(if applicable)
	Son/Agent: Surname BALLAM For Phone No. 9.1 474 9699 Fax P, BLACKHALL GREEN, DUBLIN 7, D07 V0RF	ax No
Section 3	Company Details (if applicable)	
2. Company Re	npany BDP	ıx No
Section 4	Details of Site	
1. Planning His	tory of Site. UNKNOWN	
2. Location of P	roposed Development.COLAISTE LORCAIN, CAST	TLEDERMOT, CO. KILDARE, R14 X620
	rvey Sheet No (CENTRE POINT CO-ORDINATES:	
	he extent of the proposed development	

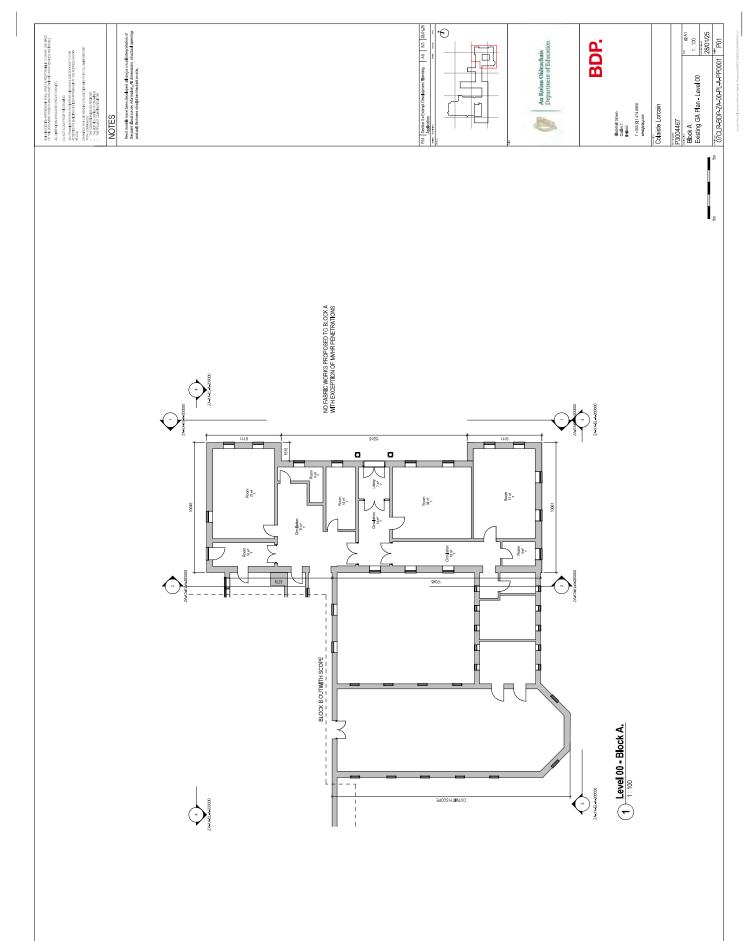
Devel		etion of the Planning and Development 2000 and/or what provision of the Planning and gulations 2001 is exemption sought (specific details required)	
CLASS	S 12 FOR TH	E REPAINTING OF THE EXTERNAL FACADE	
BLOC INSTA	CK A	etailed description of the Proposed Development (Use separate page if necessary)	
DOUE TIMBI SPAN	REPLACEME BLE GLAZED ER SCREEN: IDRELS AND	NT OF EXISTING HIGH LEVEL EXTERNAL SINGLE GLAZED SYSTEM TO THE GYM HA CURTAIN WALL SYSTEM, REPLACEMENT OF EXISTING DOUBLE HEIGHT EXTERNA S & DOORS TO GYM HALL WITH CURTAIN WALLING SYSTEM WITH SOLID ALUMINIU DOORS, REPLACEMENT OF EXISTING WINDOWS, DOORS AND GLAZED SCREENS GING BLOCK FACADE WITH SIMILAR, REPAINTING OF EXISTING FACADE.	L M
		OF THE EXISTING FLAT ROOFS AND ROOFLIGHTS OF THE GYM HALL AND CHANGIN V INSULATED BITUMEN ROOF LAID TO FALLS AND ROOFLIGHTS.	G
THE \	WORKS WILI	ALSO INCLUDE INSTALLATION OF AN AIR SOURCE HEAT PUMP.	
Sect	ion 5	The following must be submitted for a valid application	
		(Pleas	se Tick)
1.	Site Locati	on Map (1:2500 Rural Areas) (1:1000 Urban Areas)	/
2.	A Site Lay	out Plan (Scale 1:500) in full compliance with Article 23 of Planning and	
		ent Regulations 2001	1
3.	Developme Drawings of		✓ ✓*
3.	Developme Drawings of Developme	of the development (Scale 1:50) in full compliance with Article 23 of Planning and the Regulations 2001 *we have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. gs to differentiate between the original building, all extensions and proposed	✓ ✓*
	Developmed Drawings of Developmed All drawin	of the development (Scale 1:50) in full compliance with Article 23 of Planning and ent Regulations 2001 *we have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. gs to differentiate between the original building, all extensions and proposed nt	✓ ✓* ✓
4. 5.	Developmed Drawings of Developmed All drawing developmed Fee of 80 I	of the development (Scale 1:50) in full compliance with Article 23 of Planning and the Regulations 2001 *we have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. gs to differentiate between the original building, all extensions and proposed int Euro	✓ ✓* ✓
4.5.	Developmed Drawings of Developmed All drawing developmed Fee of 80 I	of the development (Scale 1:50) in full compliance with Article 23 of Planning and ent Regulations 2001 *we have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. gs to differentiate between the original building, all extensions and proposed nt	✓ ✓* ✓
4. 5. Sect	Developmed Drawings of Developmed All drawing developmed Fee of 80 H	of the development (Scale 1:50) in full compliance with Article 23 of Planning and when the Regulations 2001 when the have provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with Kildare CoCo Planning Dept on Fri 24.01.2025 that drawings submitted at 1:100 are acceptable and in compliance with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with the minimum submission requirements. The provided drawings at scale 1:100 following confirmation over the phone with the minimum submission requirements.	✓* ✓* ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓ ✓

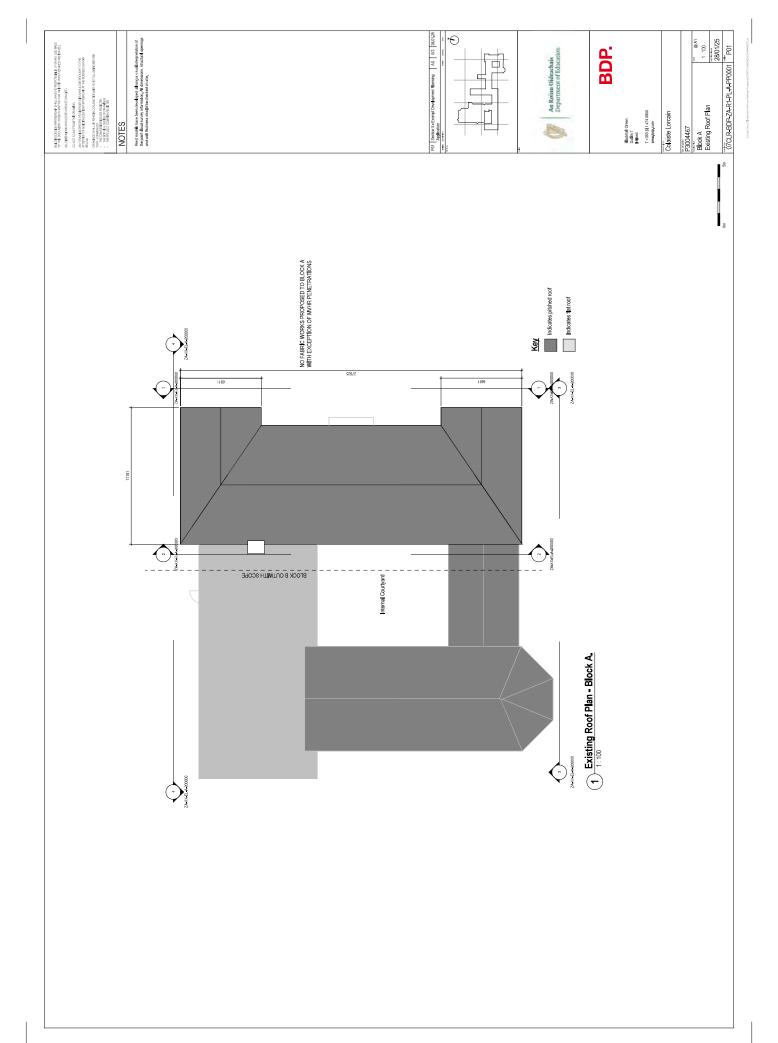


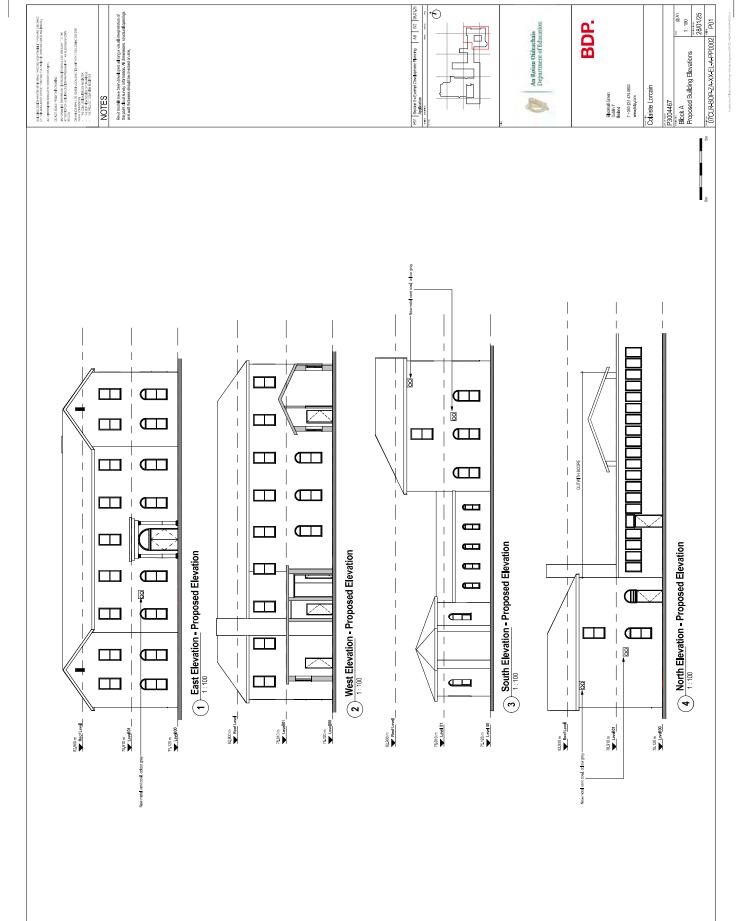


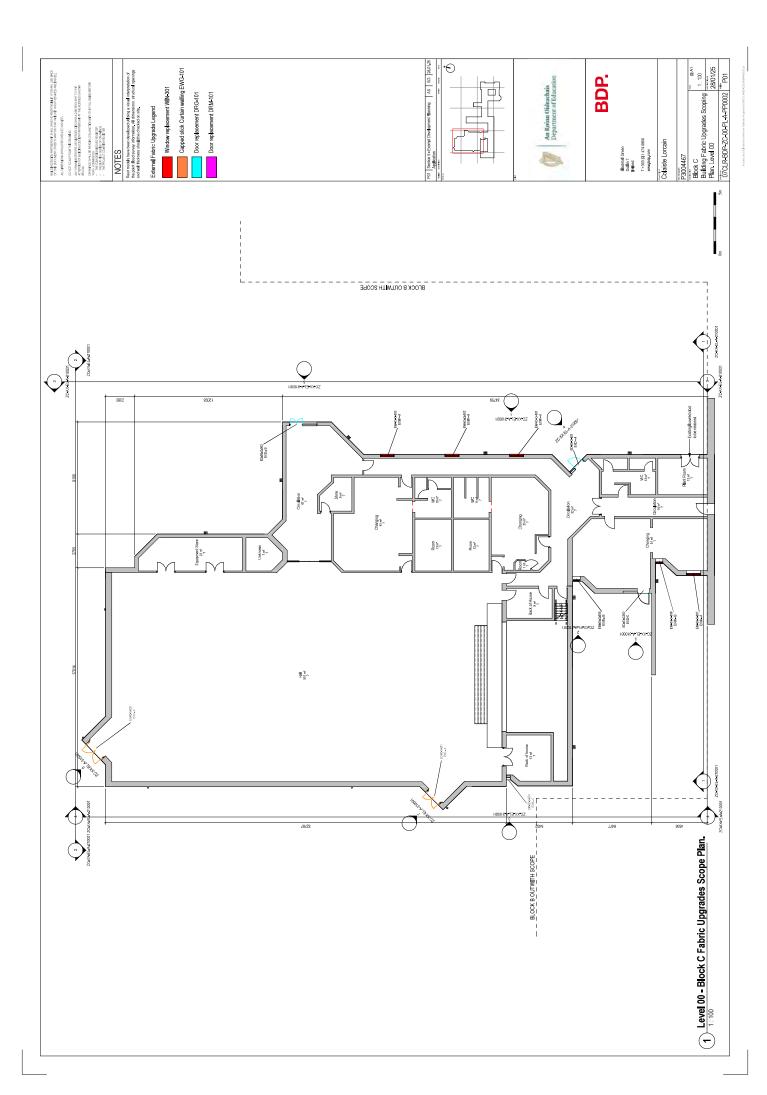


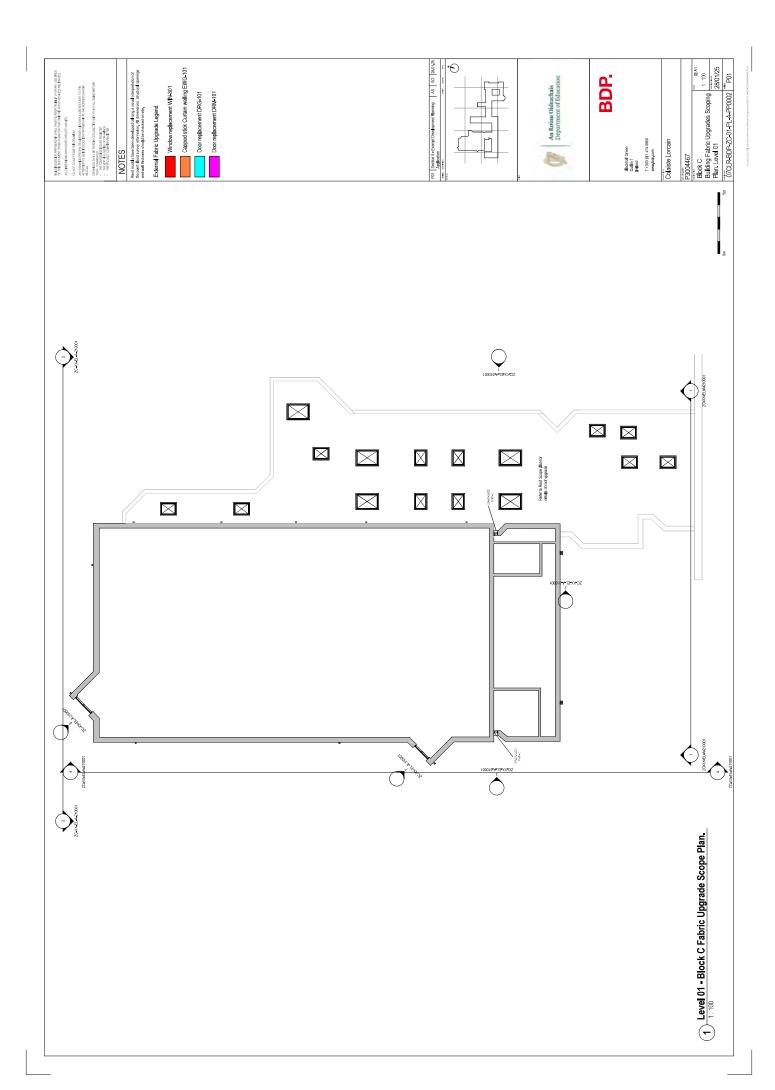


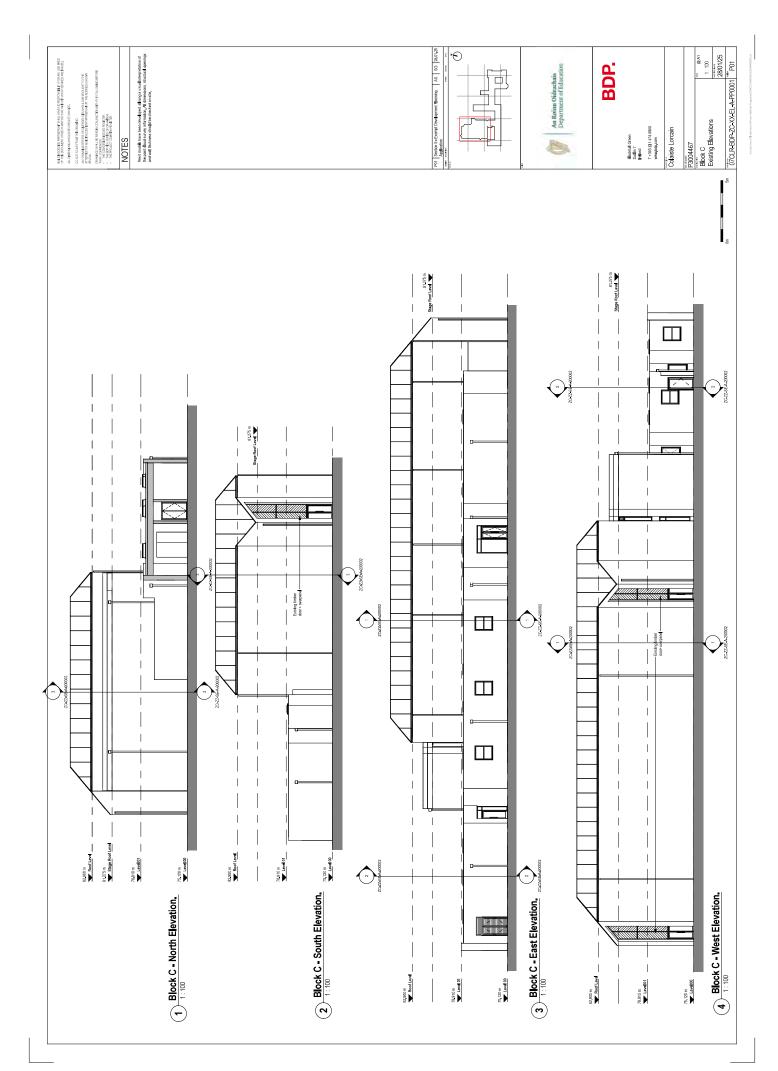


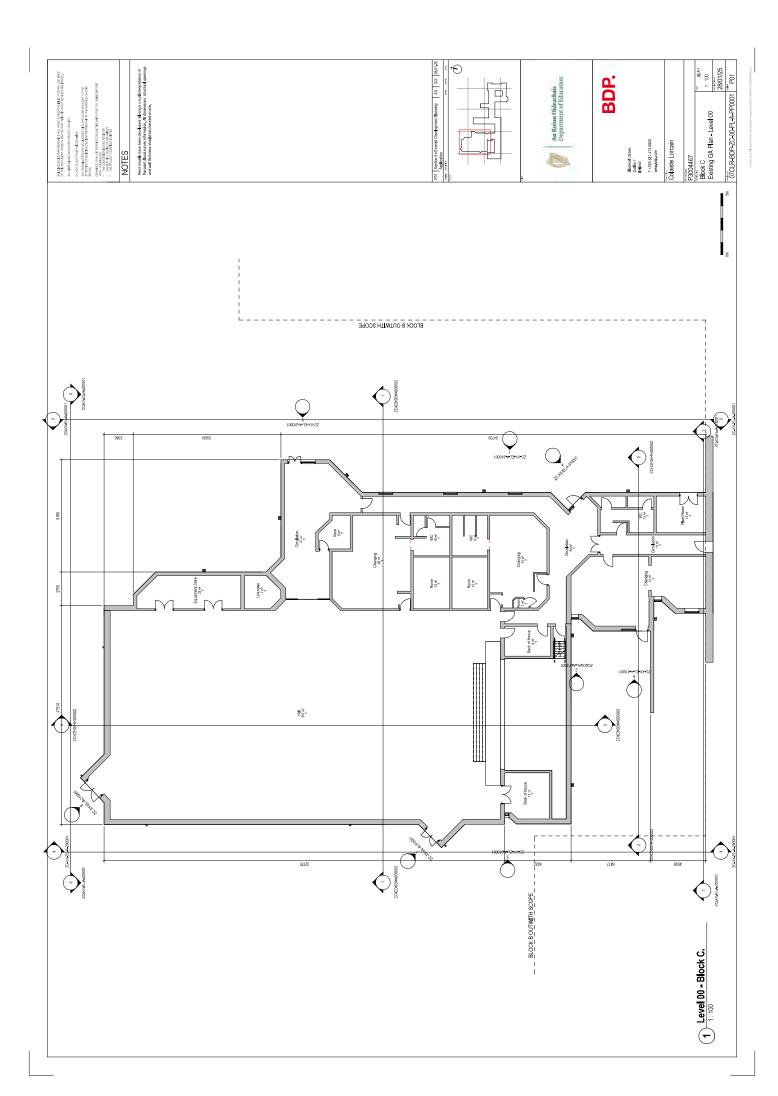


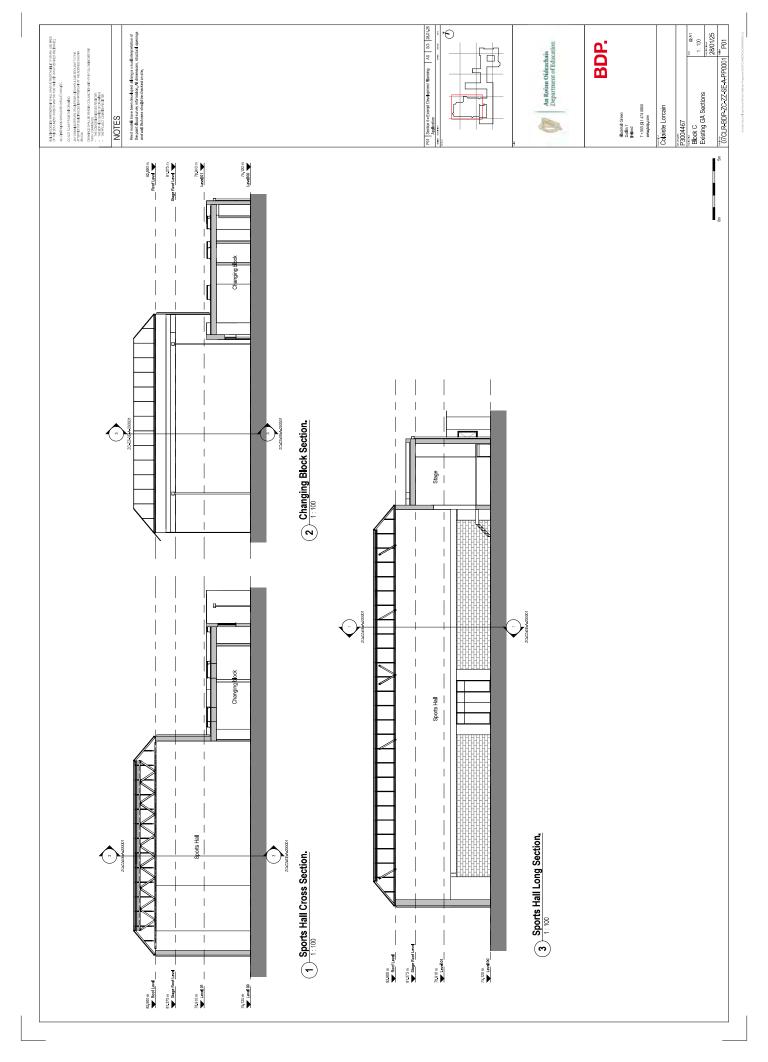


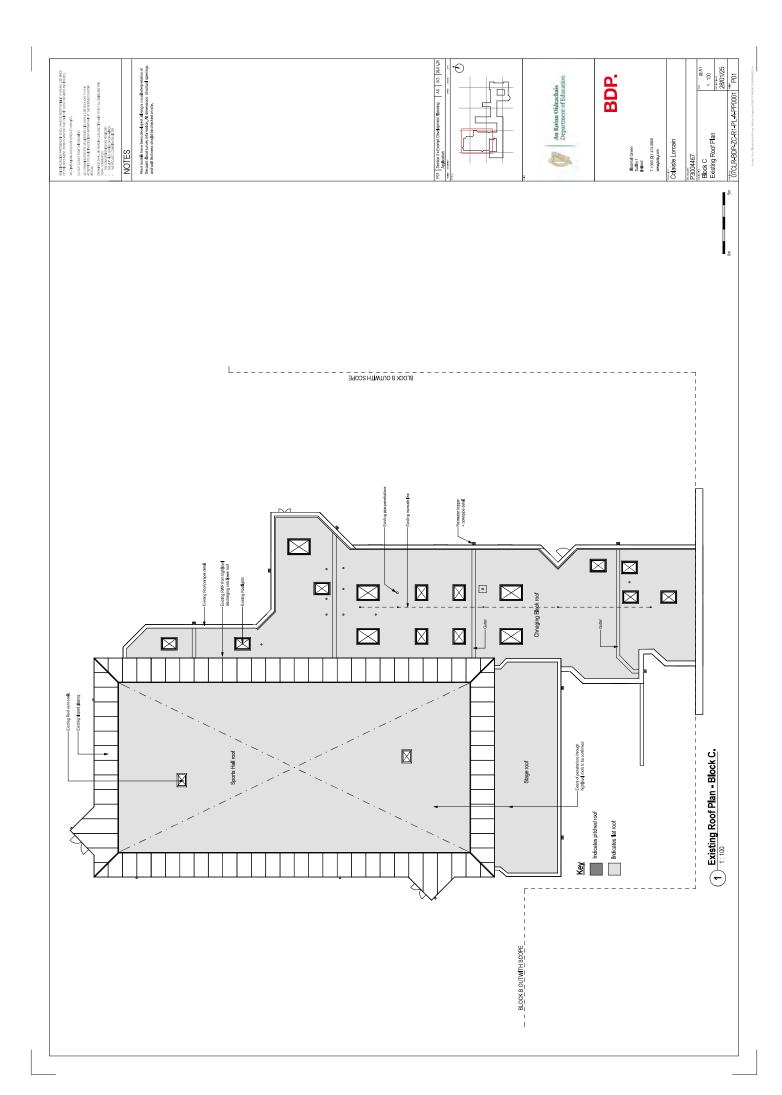


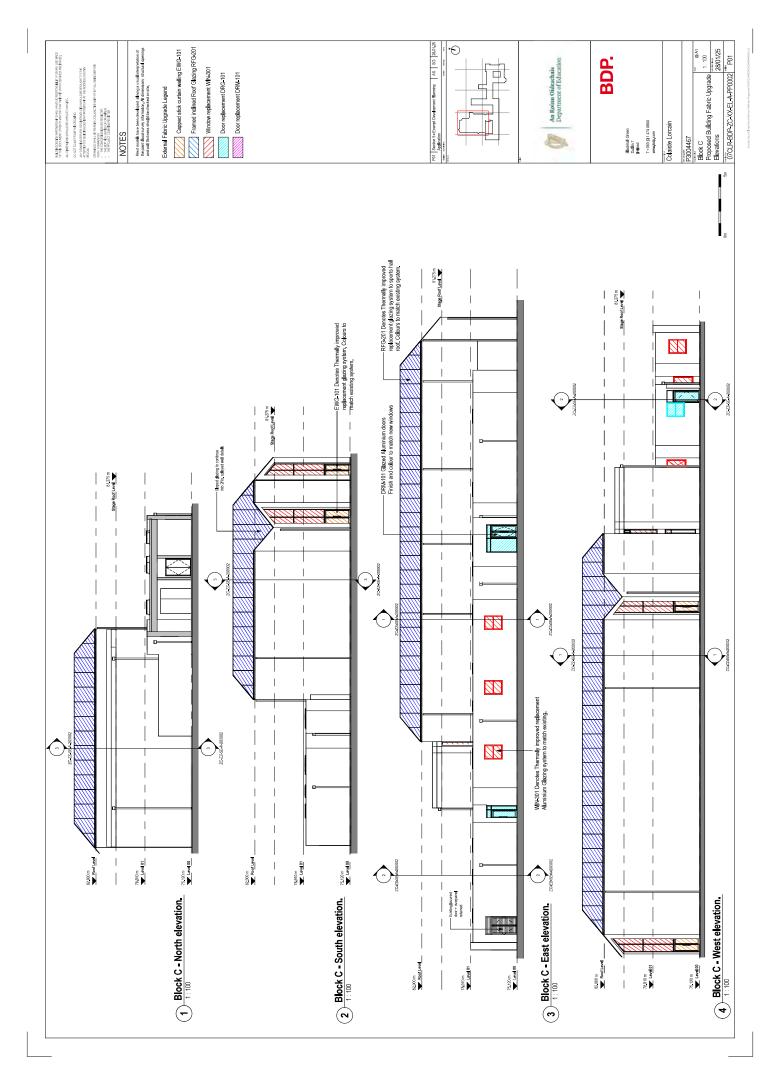


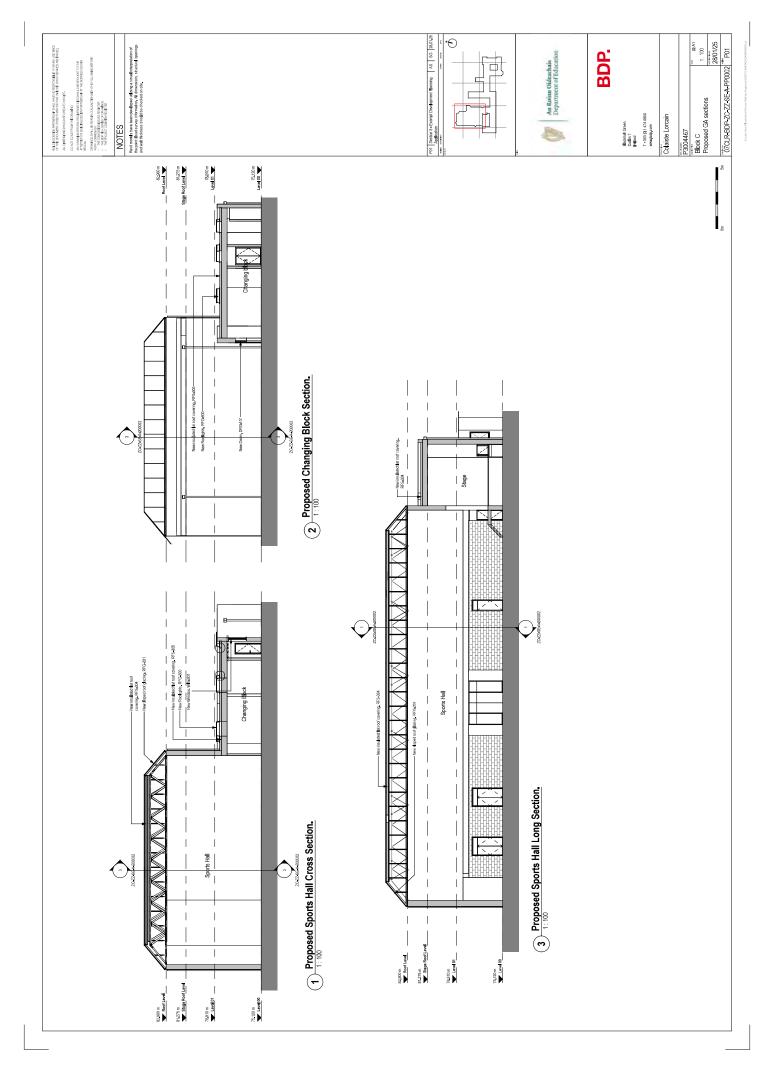


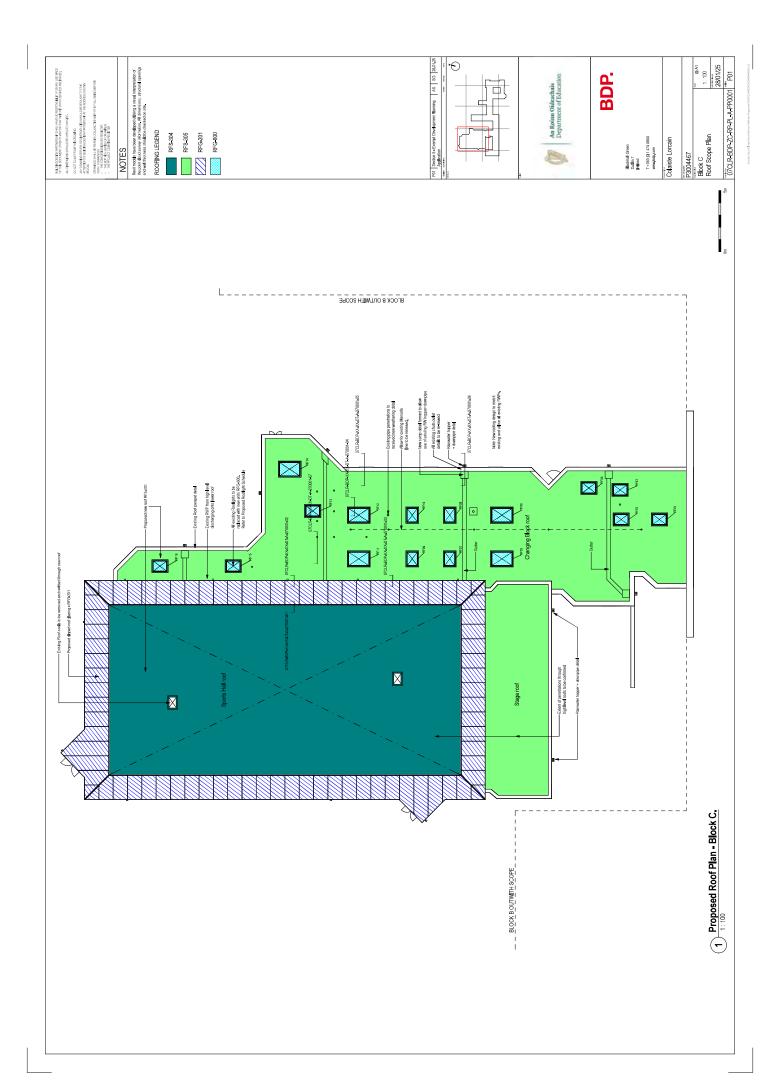












Building Design Partnership

Blackhall Green, Dublin 7 Ireland

Tel: +353 (0)1 474 0600



Drawing/Document Register -

Section 5 Application

Project: RePowerEU Pathfinders Programme – Lot 7.3

Colaiste Lorcain (Kildare)

Sender: Elliott Ballam

Project No: P3004467

Date: 28th January 2025

Drawing Series	Drawing Title	Scale	Rev	Date of Issue
	SITELOCATION			
07CLR-BDP-XX-XX- PL-A-PP0001	SITE LOCATION PLAN	1:2500@A3	P01	28.01.25
07CLR-BDP-XX-XX- PL-A-PP0002	SITE LAYOUT PLAN	1:2500@A3	P01	28.01.25
	EXISTING BUILDING			
BLOCK A				
07CLR-BDP-ZA-00- PL-A-PP0001	BLOCK A - EXISTING GA PLAN - LEVEL 00	1:100@A1	P01	28.01.25
07CLR-BDP-ZA-R1- PL-A-PP0001	BLOCK A - EXISTING ROOF PLAN	1:100@A1	P01	28.01.25
07CLR-BDP-ZA-XX- EL-A-PP0001	BLOCK A - EXISTING ELEVATIONS	1:100@A1	P01	28.01.25
BLOCK C		1		
07CLR-BDP-ZC-00- PL-A-PP0001	BLOCK C - EXISTING GA PLAN - LEVEL 00	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-R1- PL-A-PP0001	BLOCK C - EXISTING ROOF PLAN	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-ZZ- SE-A-PP0001	BLOCK C - EXISTING GA SECTIONS	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-XX- EL-A-PP0001	BLOCK C - EXISTING ELEVATIONS	1:100@A1	P01	28.01.25
DI OOK A	PROPOSED WORKS	1		-
BLOCK A	BLOOKA BRODOSED ELEVATIONO	1,100,001	D01	000465
07CLR-BDP-ZA-XX- EL-A-PP0002	BLOCK A - PROPOSED ELEVATIONS	1:100@A1	P01	28.01.25
BLOCK C				
07CLR-BDP-ZC-00- PL-A-PP0002	BLOCK C - BUILDING FABRIC UPDATES SCOPING PLAN - LEVEL 00	1:100@A1	P01	28.01.25

07CLR-BDP-ZC-01- PL-A-PP0002	BLOCK C - BUILDING FABRIC UPDATES SCOPING PLAN - LEVEL 01	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-RP- PL-A-PP0001	BLOCK C – ROOF SCOPE PLAN	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-XX- SE-A-PP0002	BLOCK C - PROPOSED GA SECTIONS	1:100@A1	P01	28.01.25
07CLR-BDP-ZC-XX- EL-A-PP0002	BLOCK C - PROPOSED BUILDING FABRIC UPGRADE ELEVATIONS	1:100@A1	P01	28.01.25

Not provided by sender

Not provided by sender

ID code of Payee Reference Party:

Remittance Information:

Purposes of the Credit Transfer: Payee Reference Party Name:

Originator ID:

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