



## Board Direction

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**Ref: 29S. PA0043**

An initial presentation of the file, including the submitted drawings and documentation, was made to the Board by the reporting Senior Planning Inspector (Mr T. Rabbette) at a meeting of all available Board Members held on April 5<sup>th</sup> 2016. The Board then visited the St James' Hospital Campus, including the sites of the proposed National Paediatric Hospital, the Family Accommodation Unit and the Children's Research and Innovation Centre, and also the site of the proposed construction compound at Davitt Road, in the company of Mr Rabbette, on the same day.

The file was considered at further Board meetings held on April 7<sup>th</sup>, April 12<sup>th</sup> and April 20<sup>th</sup> 2016, and deferred on each occasion for further consideration. At the meeting of April 7<sup>th</sup>, the Board was again joined by the reporting Senior Planning Inspector, who continued his presentation to the Board.

The submissions on the file and the Senior Planning Inspector's report, including his Addendum dated April 6<sup>th</sup> 2016, were further considered at a Board meeting held on April 25<sup>th</sup> 2016.

The Board unanimously decided to grant permission generally in accordance with the Senior Planning Inspector's recommendation, for the reasons and considerations, and subject to the conditions, as set out below.

The Board also determined the sum to be paid by the applicant in respect of costs associated with the application as set out in the Schedule of Costs set out below.

### **REASONS AND CONSIDERATIONS**

In coming to its decision, the Board had regard to the following:

- (a) 'The Model of Care for the New Children's Hospital and the Hospital Satellite Centres at Tallaght and Blanchardstown' (as published by the National Paediatric Hospital Development Board in March 2015);
- (b) The established need for a National Paediatric Hospital;

- (c) The established hospital uses at St. James's Hospital Campus, The Adelaide & Meath Hospital, and Connolly Hospital Campus;
- (d) The National Spatial Strategy 2002-2020;
- (e) The Regional Planning Guidelines for the Greater Dublin Area 2010-2022;
- (f) The policies and objectives of Dublin City Development Plan 2011-2017 pertaining to the St. James's Hospital Campus site and the Davitt Road site;
- (g) The policies and objectives of South Dublin County Development Plan 2010-2016 and the Tallaght Town Centre Local Area Plan 2006 pertaining to The Adelaide & Meath Hospital site;
- (h) The policies and objectives of Fingal County Development Plan 2011-2017 pertaining to the Connolly Hospital Campus site;
- (i) The contents of the Environmental Impact Statement and supporting documentation submitted with the application, including the mitigation measures proposed in those documents and at the Oral Hearing;
- (j) The contents of the Natura Impact Statement submitted with the application;
- (k) The nature, scale and design of the proposed development, and the pattern of development in the vicinity of the sites.
- (l) The submissions, reports and recommendations of Dublin City Council, South Dublin County Council and Fingal County Council;
- (m) The submissions and observations received by An Bord Pleanála, including those made at the Oral Hearing, in connection with the proper planning and sustainable development of the areas in which the development is proposed and in relation to the likely effects on the environment of the proposed development;
- (n) The Inspector's Report and Recommendation into the application, including his report of the Oral Hearing.

The Board was satisfied that the information before it was adequate to undertake an appropriate assessment and an environmental impact assessment in respect of the proposed development.

## **Appropriate Assessment Screening**

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on European Sites, taking into account the nature, scale and locations of the proposed development, the screening report submitted with the application and the Inspector's report and submissions on file. In completing the screening exercise, the Board adopted the report of the Inspector and concluded that the proposed development, by itself or in combination with other development in the vicinity, would not be likely to have a significant effect on European sites, with the exception of the North Dublin Bay candidate Special Area of Conservation (Site Code 000206), the South Dublin Bay candidate Special Area of Conservation (Site Code 000210), the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), and the North Bull Island Special Protection Area (Site Code 004006).

## **Appropriate Assessment**

The Board undertook an Appropriate Assessment in relation to the effects of the proposed development on the North Dublin Bay candidate Special Area of Conservation (Site Code 000206), the South Dublin Bay candidate Special Area of Conservation (Site Code 000210), the South Dublin Bay and River Tolka Estuary Special Protection Area (Site Code 004024), and the North Bull Island Special Protection Area (Site Code 004006). Having regard to the nature, scale and locations of the proposed development, the submitted Natura Impact Statement including the mitigation measures proposed, the submitted Environmental Impact Statement including mitigation measures proposed, the Inspector's Report and submissions on file, the Board concluded that the proposed development, by itself, or in combination with other plans or projects, would not be likely to adversely affect the integrity of these European Sites in view of the sites' conservation objectives. In doing so, the Board concurred with the conclusions of the Inspector and adopted his report in this respect.

## **Environmental Impact Assessment**

The Board completed an Environmental Impact Assessment of the case, taking into account:

- a) the nature, scale and locations of the proposed development;
- b) the Environmental Impact Statement submitted with the application;
- c) the submissions from the applicant, the planning authorities, the observers and the prescribed bodies in the course of the application, including submissions made to the Oral Hearing; and

d) the Inspector's Report.

It is considered that the Environmental Impact Statement, supported by the other documentation submitted by the applicant, identifies and describes adequately the direct and indirect effects of the proposed development on the environment. The Board completed an Environmental Impact Assessment in relation to the subject development, and concluded that, subject to the mitigation measures proposed, the proposed development would not be likely to have significant effects on the environment. The Board noted the Inspector's conclusion in relation to the impact of the development on architectural heritage and the Board concluded that the proposed development, notwithstanding this impact, would be acceptable and therefore adopted the Inspector's Assessment.

### **Conclusion on Proper Planning and Sustainable Development**

It is considered that, subject to the implementation of the mitigation measures proposed, and subject to compliance with the conditions set out below, the proposed development:

- i. would give rise to a modern tertiary paediatric hospital facility serving the State and the Greater Dublin Area, with room for potential future expansion;
- ii. would represent a positive design response to the Saint James's Hospital Campus site and its environs;
- iii. would enhance the permeability of the Saint James's Hospital Campus site and improve the public realm in its vicinity;
- iv. would not, having regard to the proposed transportation and parking strategy and to the principles of Smarter Travel, have unacceptable impacts on the local road networks or be likely to lead to conditions injurious to pedestrian or traffic safety;
- v. would not be prejudicial to public health;
- vi. would not seriously injure the visual, residential or recreational amenities of the area or of properties in the vicinity of the subject sites;
- vii. would not have an undue impact on the architectural and archaeological heritage of the area.

The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## CONDITIONS

1. The development shall be carried out and completed in accordance with the plans and particulars lodged with the application and the further particulars submitted by the applicant at the oral hearing, except as may otherwise be required in order to comply with the following conditions. Where such conditions require details to be agreed with a planning authority, the developer shall agree such details in writing with the relevant planning authority prior to commencement of development and the development shall be carried out and completed in accordance with the agreed particulars. In the interest of clarity, for development at the St. James's Hospital Campus site and the Davitt Road Construction Compound site, the relevant planning authority is Dublin City Council, for development at The Adelaide & Meath Hospital site, the relevant planning authority is South Dublin County Council and for development at Connolly Hospital site, the relevant planning authority is Fingal County Council.

**Reason:** In the interest of clarity

2. The period during which the development may be carried out shall be ten years from the date of this Order.

**Reason:** In the interest of clarity.

3. The mitigation measures and commitments identified in the Environmental Impact Statement, the Natura Impact Statement, and other plans and particulars submitted with the planning application, and the further particulars submitted by the applicant at the oral hearing, shall be implemented in full by the developer, except as may otherwise be required in order to comply with the following conditions.

**Reason:** In the interest of clarity and protection of the environment during the construction and operational phases of the proposed development.

4. The proposed development of the National Paediatric Hospital shall be amended as follows:-

The car parking provision between grid lines 13 and 18 on level B1, east of the circulation aisle, and north of the main entrance and lift lobby at this level, shall be re-configured to provide a minimum of 20 spaces of the same dimensions as used for disabled spaces. These 20 spaces shall be marked and designated as "parent and child" spaces and shall be reserved for parents of children with specific

needs (equipment etc.). The resultant reduction in the number of car parking spaces for the overall development shall be taken from the staff car parking allocation within the development, such that a minimum of 675 car parking spaces would remain available for patients and visitors.

Revised drawings showing compliance with these requirements shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interests of facilitating car parking for parents and children with specific requirements.

5. Prior to the commencement of development, a Car Park Management Plan for the St James's Hospital Campus shall be submitted to, and agreed in writing with, Dublin City Council. This Management Plan shall incorporate measures to ensure that the 675 car parking spaces in the proposed National Paediatric Hospital, that are stated in the submitted documentation to be reserved for use by patients and visitors, cannot be used by staff during the period 07.00 to 19.00 hours, Monday to Saturday. Such measures and their implementation shall be capable of being monitored and verified by the City Council at the Council's discretion.

**Reason:** In the interest of sustainable transportation, in order to avoid traffic congestion in the areas adjacent the development sites, and to ensure that an adequate supply of car parking is available to serve the needs of the users of the proposed development.

6. Prior to the commencement of development, Mobility Management Plans shall be submitted to, and agreed in writing with, all three planning authorities and shall be implemented on first occupation of the National Paediatric Hospital at St. James's Hospital Campus and the Satellite Centres at The Adelaide & Meath Hospital and Connolly Hospital. Such Plans shall not make any provision that would not comply with the requirements of condition 5 of this Order.

**Reason:** In the interest of sustainable transportation, and in order to avoid traffic congestion in the areas adjacent the development sites.

7. Prior to the commencement of development the developer shall submit to, and agree in writing with, Dublin City Council the following:

- (a) Detailed design proposals for all access points to the St. James's Hospital Campus site being the access off James's Street; the access off Mount Brown and the access off Brookfield Road.
- (b) The number and location of CCTV cameras to monitor trip generation at the access points subject of (a) above.
- (c) Detailed design proposals for the temporary alignment of the internal access road to form a fourth arm to the South Circular Road / Brookfield Road junction for the construction stage.

**Reason:** In the interests of sustainable development, traffic safety and to avoid traffic congestion on the adjacent road network.

8. Prior to the commencement of development of the proposed Satellite Centre at the Meath and Adelaide Hospital site, the developer shall submit to, and agree in writing with, South Dublin County Council the following:

- (a) Details for the commissioning of the existing pedestrian gate in the boundary to The Adelaide & Meath Hospital campus adjacent the Hospital LUAS Stop. This pedestrian gate shall be commissioned prior to the occupation of the Satellite Centre. The details to be agreed with the planning authority shall include the daily opening hours facilitating public access, which shall reflect the daily hours of operation of the LUAS service.
- (b) Details for the location and layout of a drop-off facility for parents/guardians attending the Satellite Centre.

**Reason:** In the interests of sustainable transportation, and of traffic and pedestrian safety.

9. Prior to the commencement of development, Construction Management Plans shall be submitted to, and agreed in writing with, all three planning authorities. Each Construction Management Plan shall include, *inter alia*, a Construction Traffic Management Plan. In the case of the Saint James's Hospital Campus site, this Construction Traffic Management Plan shall be such as to minimise HGV movements to and from the site between the hours of 0700 and 0900, Monday to Friday.

**Reason:** To protect the amenities of neighbouring properties and in the interest of traffic and pedestrian safety.

10. Prior to the commencement of development the developer shall submit to, and agree in writing with, Dublin City Council, detailed design proposals for the diversion of the existing Drimnagh Sewer on the Saint James's Hospital Campus site, which shall be generally in accordance with the Environmental Impact Statement submitted with the application.

**Reason:** in the interest of public health.

11. Prior to the commencement of development of the Satellite Centre at the Connolly Hospital Campus site, the developer shall submit to, and agree in writing with, Fingal County Council final mitigation proposals in relation to flooding, which shall be generally in accordance with the Environmental Impact Statement submitted with the application.

**Reason:** To protect the development from potential flood impacts.

12. (a) Details of all materials for the proposed Children's Research and Innovation Centre, including the stone cladding, metal filigree and doors and gates onto St. James's Street, together with all proposed signage for the building, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of construction of this building. The steps to the side of this building shall be upgraded to a granite surface.

(b) Details of all materials for the proposed Family Accommodation Unit, together with all proposed signage for the building, shall be submitted to, and agreed in writing with, the planning authority prior to the commencement of construction of this building.

**Reason:** In the interests of visual amenity and architectural harmony.

13. Water supply and drainage arrangements, including the disposal of surface water, shall comply with the requirements of the relevant planning authority for such works and services and shall be agreed in writing with the relevant planning authority prior to the commencement of development.

**Reason:** In the interest of public health and to ensure a proper standard of development.

14. Prior to the commencement of demolition works, the chapel (ref: BH-07 in chapter 16 of the Environmental Impact Statement), Garden Hill House (ref: BH-21) and the derelict building fronting James's Street (ref: BH-21) shall be fully surveyed and recorded. Copies of these records shall be submitted to Dublin City Council and to the Irish Architectural Archive. Prior to the commencement of development, the developer shall submit to, and agree in writing with, Dublin City Council detailed proposals for the salvage of features/materials from the above mentioned three structures, which proposals shall include for the reuse, where feasible, of salvaged material in the new development on the site.

**Reason:** In the interest of recording and respecting the architectural heritage of the area.

15. The developer shall facilitate the preservation, recording and protection of archaeological materials or features that may exist within the sites. In this regard, the developer shall –
- (a) notify the relevant planning authority in writing at least four weeks prior to the commencement of any site operation (including hydrological and geotechnical investigations) relating to the proposed development,
  - (b) employ a suitably-qualified archaeologist who shall monitor all site investigations and other excavation works, and
  - (c) provide arrangements, acceptable to the relevant planning authority, for the recording and for the removal of any archaeological material which the authority considers appropriate to remove.

In default of agreement on any of these requirements, the matter shall be referred to An Bord Pleanála for determination.

**Reason:** In order to conserve the archaeological heritage of the sites and to secure the preservation and protection of any remains that may exist within the sites.

16. The developer shall pay to Dublin City Council, South Dublin County Council and Fingal County Council financial contributions in respect

of public infrastructure and facilities benefiting development in the area of the relevant planning authority that is provided or intended to be provided by or on behalf of the authority in accordance with the terms of the Development Contribution Schemes made under section 48 of the Planning and Development Act 2000. The contributions shall be paid prior to the commencement of development or in such phased payments as the planning authority may facilitate and shall be subject to any applicable indexation provisions of the relevant Scheme at the time of payment. Details of the application of the terms of the Schemes shall be agreed between the relevant planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board to determine the proper application of the terms of the Schemes.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the relevant Development Contribution Schemes made under section 48 of the Act be applied to the permission.

17. The developer shall pay to South Dublin County Council a financial contribution as a special contribution under section 48(2)(c) of the Planning and Development Act 2000 in respect of the provision of an additional pedestrian crossing on the southern arm of the access roundabout at the entrance to The Adelaide and Meath Hospital. The amount of the contribution shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to the Board for determination. The contribution shall be paid prior to the commencement of the development or in such phased payments as the planning authority may facilitate and shall be updated at the time of payment in accordance with changes in the Wholesale Price Index – Building and Construction (Capital Goods), published by the Central Statistics Office.

**Reason:** It is considered reasonable that the developer should contribute towards the specific exceptional costs which are incurred by the planning authority which are not covered in the Development Contribution Scheme and which will benefit the proposed development.

## SCHEDULE OF COSTS

The Board determined that the amount due to be paid by the applicant to An Bord Pleanála is €112,104.

A breakdown of the Board's costs is set out below:

<b>Costs incurred by the Board in determining the Application</b>		
(1)	Cost (calculated based on Inspector's time):- Inspector 1 (pre-application consultation) - €14,740 Inspector 2 (application) - €186,780	€201,520
(2)	Costs invoiced to Board:- Oral hearing venue costs - €10,239 Pre-application venue costs - €275 Sound/recording - €10,270	€20,784
	<b>Total Chargeable Costs</b>	<b>€222,304</b>
Less	Application Fee - €100,000 Pre-application Consultation Fee - €4,500 Observer fees paid – €5,700	
	<b>Total Fees</b>	<b>€110,200</b>
	<b>Net Amount due to be Paid by Applicant</b>	<b>€112,104</b>

Board Member: \_\_\_\_\_ Date: 25<sup>th</sup> April 2016  
Philip Jones