



The submissions on this file and the Inspector's report were considered at a Board meeting held on 22nd August 2017, at which the reporting inspector Una Crosse presented an overview of the case. At a further meeting on August 24th 2017 the Board decided, unanimously, to grant permission generally in accordance with the Inspector's recommendation, for the following reasons and considerations, and subject to the following conditions. The Board also determined the costs in the case, as set out below.

Reasons and Considerations

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

- (a) the provisions of the *National Maternity Strategy 2016-2026*, which seeks to co-locate all maternity hospitals and refers to the proposal to redevelop the National Maternity Hospital within the St. Vincent's Campus,
- (b) the provisions of *Building a Recovery: Infrastructure and Capital Investment, 2016 – 2021* which supports a reorganisation of national maternity services including the relocation of the National Maternity Hospital to the St. Vincent's Campus,
- (c) the provisions of the *National Spatial Strategy 2002 – 2020*,
- (d) the provisions of *Smarter Travel – A Sustainable Transport Future 2009 – 2020*,

- (e) the provisions of the *Regional Planning Guidelines for the Greater Dublin Area 2010 – 2022*,
- (f) the provisions of the *Transport Strategy for the Greater Dublin Area, 2016 – 2035*,
- (g) the provisions of the *Dublin City Development Plan 2016 – 2022*,
- (h) the community need, public interest served and the overall benefits to be achieved from the proposed development,
- (i) the documentation submitted with the application include the environmental impact statement and the Natura impact statement and the draft Construction Management Plan,
- (j) the submissions and observations made in connection with the planning application, including at the oral hearing, and
- (k) the report of the Inspector.

Appropriate Assessment Screening:

The Board completed an Appropriate Assessment Screening exercise in relation to the potential effects of the proposed development on designated European Sites, taking into account the nature, scale and location of the proposed development (being a redevelopment of land within a zoned and serviced hospital campus in an urban area), the Appropriate Assessment 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, by itself or in combination with other development in the vicinity, the proposed development would not be likely to have a significant effect 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), or on any other European Site in view of the sites' conservation objectives, and that a Stage 2 Appropriate Assessment is not, therefore, required.

Environmental Impact Assessment:

The Board completed an environmental impact assessment of the proposed development, taking into account:

- (a) the nature, scale and extent of the proposed development,
- (b) the environmental impact statement and associated documentation submitted in support of the application,
- (c) the submissions from the applicant, the planning authority, the observers and the prescribed bodies in the course of the application, including submissions made to the oral hearing,
- (d) the applicant's response to the observations received as presented at the oral hearing, and
- (e) the Inspector's report.

It is considered that the environmental impact statement, supported by the documentation submitted by the applicant, identifies and describes adequately the direct, indirect, secondary and cumulative effects of the proposed development on the environment. The Board completed an environmental impact assessment in relation to the proposed development and concluded that, by itself and in combination with other development in the vicinity, and, subject to the implementation of the mitigation measures proposed, the effects of the proposed development on the environment would be acceptable. In doing so, the Board adopted the report and conclusions of the Inspector.

Conclusions on Proper Planning and Sustainable Development:

It is considered that, subject to compliance with the conditions set out:

- The proposed development would support the implementation of the Maternity Strategy 2016 – 2026 which seeks to co-locate maternity hospitals within the state with adult acute hospitals.
- The proposed development would meet the stated policies and objectives of the Dublin City Development Plan 2016 – 2022 particularly in respect of healthcare and movement and transport.
- The proposed development would significantly improve maternal healthcare provision at local and national level.
- Owing to its scale, height and design, including the use of high quality materials and finishes for the building and public realm, the proposed development would integrate in a successful manner with the existing hospital campus and the surrounding area,
- The proposed development would not unduly impinge on residential amenity of property in the vicinity, and would not be prejudicial to public health,
- While creating some additional traffic and parking demand, the proposed development follows an acceptable approach in relation to access and mobility management in the context of wider improvements in public transport, walking and cycling facilities, and would be acceptable in terms of traffic safety and convenience of road users including availability of parking.

The Board concluded that the proposed development would be in accordance with the proper planning and sustainable development of the area.

CONDITIONS

1. The proposed 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 the planning authority, the applicant shall agree such details in writing with the planning authority prior to commencement of development and the proposed development shall be carried out and completed in accordance with the agreed particulars.

Reason: In the interest of clarity.

2. The period during which the proposed development hereby permitted 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 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 applicant, except as may otherwise be required in order to comply with the following conditions.

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

4. Prior to commencement of development, and following consultation with the National Transport Authority, the applicant shall submit for the written agreement of the planning authority details in relation to cycle lane provision along both Nutley Lane and the Merrion Road as it relates to the proposed junction improvements.

Reason: In the interest of traffic and cycle safety and convenience.

5. Prior to commencement of development, details of all works proposed on the public road network and, in particular, at the Nutley Lane and Merrion Road junctions into the hospital campus shall be submitted to, and agreed in writing with, the planning authority. The works shall be completed prior to commencement of development (Phase 1). All works to the public road, including removal of car parking and provision of right-turning lanes, shall be carried out at the applicant's expense and at no cost to the planning authority.

Reason: In the interest of sustainable development, traffic safety and to ensure an appropriate standard of development.

6. Prior to commencement of development, the following shall be submitted to, and agreed in writing with, the planning authority:
 - (a) A Mobility Management Plan which shall be implemented on the first occupation of the National Maternity Hospital at St. Vincent's University Hospital Campus. The MMP shall indicate details regarding a Mobility Manager for the site.
 - (b) A Car Park Management Plan for the St. Vincent's University Hospital Campus which shall include details regarding signage for car parks within and in the environs of the campus and the manner and frequency of monitoring of the use of car parks, in particular the use by staff and visitors.
 - (c) The location of signage which may be proposed on public roads as part of any wayfinding strategy, including wayfinding to and from Sydney Parade Dart Station.

The agreed Mobility Management Plan, Car Park Management Plan and wayfinding signage shall be implemented prior to the first occupation of the National Maternity Hospital, unless otherwise agreed with the planning authority.

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

7. Prior to commencement of development, a detailed Construction Management Plan (generally based on the information submitted in support of the planning application), including a Construction Traffic Management Plan, shall be submitted to, and agreed in writing with, the planning authority. This shall include details of monitoring and reporting in accordance with the requirements of the planning authority.

Reason: In the interests of environmental protection, to protect the amenities of neighbouring properties and in the interest of traffic safety.

8. The proposed temporary construction access on Nutley Lane shall be used for construction access only and shall be closed outside of the permitted hours of construction. The use shall cease on completion of the proposed development and the existing boundary shall be reinstated. The details of the proposed access, arrangements for daily closure and for final reinstatement shall be incorporated into the proposed Construction Management Plan and

submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of clarity, traffic safety and residential amenity.

9. Prior to commencement of development, details of landscaping to be proposed along the eastern boundary of the campus, as it bounds with Herbert Avenue, shall be submitted to, and agreed in writing with, the planning authority. All planting/landscaping proposed shall be maintained and, if any tree or plant dies or is otherwise lost, it shall be replaced by a plant of the same species, variety and size within the planting season following such loss.

Reason: In the interest of residential and visual amenity.

10. Details of:
 - a. the materials, colours and textures of all the external finishes to the proposed National Maternity Hospital and associated landscaped areas,
 - b. signage proposed to the elevations, and
 - c. screening measures for roof plant,shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

Reason: In the interest of visual amenity.

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

Reason: In the interest of public health and environmental protection.

12. The developer shall pay to the planning authority a financial contribution in respect of public infrastructure and facilities benefiting development in the area of the 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 Scheme made under section 48 of the Planning and Development Act 2000, as amended. The contribution shall be paid prior to 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 Scheme at the time of payment. Details of the application of the terms of the Scheme shall be agreed between the planning authority and the developer or, in default of such agreement, the matter shall be referred to

An Bord Pleanála to determine the proper application of the terms of the Scheme.

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

COSTS

In accordance with the provisions of section 37H(2)(c) of the Planning and Development Act 2000, as amended, the Board also determined the costs to be paid in relation to the case, in accordance with the summary form on the costs file, as follows:

- Refund to applicant: €28,129
- Not to award of costs to observer.

Reasons and Considerations (Costs)

In relation to the claim for costs made by the observer (D and G Lyons) having regard to the submissions made on the case by the observers, the detailed and reasoned reports of the Board's inspector, and the Board's decision in the case, it is considered that the Strategic Infrastructure Development application process has enabled full participation by the observers in the case both in writing and at the oral hearing and there are no particular circumstances arising that would justify the developer having to make a contribution towards the costs of the observers in this case.

Note: in relation to the proposed construction access on Nutley Lane, the Board was satisfied that, subject to its closure and re-instatement at the end of the project (as per condition 8 above), it was not necessary to further restrict the use of the entrance to Phase 1 only by condition as recommended by the inspector; the Board considered that some flexibility to use this entrance in later phases might be beneficial in terms of separation of traffic flows in the campus, and would not unduly impinge on the surrounding neighbourhood.

Board Member

Date: 28th August 2017

Conall Boland