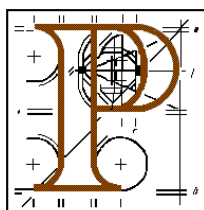


An Bord Pleanála



PLANNING AND DEVELOPMENT ACTS 2000 TO 2015

Fingal County

An Bord Pleanála Reference Number: 06F.PM0009

(Application Reference Number 06F.PA0037)

REQUEST received by An Bord Pleanála on the 10th day of June, 2016, from Health Service Executive Estates, care of Doyle Kent Planning Partnership Ltd of 71 Carysfort Avenue, Blackrock, County Dublin under section 146B of the Planning and Development Act, 2000, as amended, in respect of a strategic infrastructure development described under 06F.PA0037 as a Proposed 170 Bed National Forensic Mental Health Services Hospital on lands at St. Ita's Hospital, Portrane, County Dublin.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 29th day of May, 2015, and the development was the subject of a previous alteration under 06F.PM0006.

AND WHEREAS the Board has received a further request on the 10th day of June, 2016, to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alteration is described as follows:

1. Reduce the depth of excavation across the main campus area west of the Reception Building by one metre, with a consequent upward adjustment by the same amount of the finished floor and roof levels of (a) the Village Centre, (b) the Medium Secure Unit, (c) the High Secure Unit, (d) the MHID Unit, (e) the Female Unit and (f) the Pre-discharge Unit and the associated ground levels;

2. Undertake re-contouring and infilling with soil of the permitted horticultural area, south of the previously permitted berm, to a maximum level as shown on the drawings with this application, to marry in with the revised levels of the campus;
3. Utilise soil on Compartment 20 East, by spreading to a depth not exceeding 300 millimetres settled depth, in order to improve its suitability for development of a natural grassland habitat on previously intensively farmed arable lands,

AND WHEREAS the Board considered that the alteration would result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS having regard to the nature of the issues involved, the Board invoked the provisions of section 146B(8)(a) of the Planning and Development Act, 2000, as amended, to invite submissions or observations in relation to the matter from members of the public,

AND WHEREAS having considered all of the submissions/observations and documents on file and the Inspector's reports, the Board considered that the making of the proposed alteration would not be likely to have significant effects on the environment or on any European Site,

NOW THEREFORE in accordance with section 146B(3)(b) of the Planning and Development Act, 2000, as amended, the Board hereby alters the above-mentioned decision so that the permitted development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 10th day of June, 2016, and the Board also hereby alters the above-mentioned decision so that Condition Number 12 and Condition Number 13 of its order shall be altered to include Condition Number 12(v) and Condition Number 13(b) as set out below.

ALTERATION TO CONDITIONS

Alter Condition Number 12 to include the following:

12. (v) The construction traffic generated by the alteration made under 06F.PM0009, as set out above, shall be routed away from the access to the sports grounds to the south-west of the site and shall be routed, as far as is practicable (to the satisfaction of the planning authority), away from occupied residential buildings located in and around the existing St. Ita's Hospital. A construction traffic route shall be submitted to, and agreed in writing with, the planning authority, prior to commencement of development.

Alter Condition Number 13 to include the following:

13. (b) The construction-stage Environmental Management Plan shall include the grassland establishment report for Compartment 20 East, as referred to in the "Planning and Environmental Report" submitted to An Bord Pleanála by Doyle Kent Planning Partnership Ltd. on the 10th day of June 2016 under 06F.PM0009.

MATTERS CONSIDERED

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard. Such matters included the submissions and observations received by it in accordance with statutory provisions.

REASONS AND CONSIDERATIONS

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

- (a) the nature and scale of the proposed alteration,

- (b) the documentation and submissions on file, including the submissions received in response to the public notice dated the 26th day of July 2016, and
- (c) the reports of the Inspector.

The Board was satisfied that the information before it was adequate to undertake a screening for appropriate assessment and a screening for environmental impact assessment in respect of the proposed alteration.

Appropriate Assessment Screening

In conducting a screening exercise for appropriate assessment, the Board considered the nature, scale and context of the proposed alteration, the documentation on file, in particular the Appropriate Assessment screening report submitted in support of the proposal, the submissions on file – including those from the planning authority - and the assessment of the Inspector in relation to the potential for effects on European Sites. In undertaking the screening exercise, the Board accepted the analysis and conclusions of the Inspector. The Board concluded that, by itself and in combination with other development in the vicinity, the alteration would not be likely to have significant effects on any European Site in view of their conservation objectives.

Environmental Impact Assessment Screening

Under file reference PA0037 approval was granted for the development of a major hospital complex at this existing campus, entailing a significant construction project. This proposal seeks to alter the approach to construction, in relation to the management of earthworks within the site. The Board considered the potential environmental impacts that might arise due to the proposed alteration, both by itself and in cumulation with other development in the vicinity. Having regard to the characteristics of the receiving environment, the planning history of the site, the characteristics of the proposed alteration - which amends the approach to earthworks management - and the submissions on file, the Board is satisfied that the proposed alteration would not be likely to have significant effects on the environment. The Board concurred with the analysis and conclusions of the Inspector in this matter. The Board, therefore, concluded that the preparation of an environmental impact statement is not required, either by means of any mandatory requirement or following sub-threshold analysis.

Conclusions on Proper Planning and Sustainable Development

The Board concluded that the proposed alteration (including a revision of Condition Number 12 and Condition Number 13 as recommended by the Board's Inspector) would represent an acceptable approach to managing earthworks in the course of the overall construction project. It is considered that the alteration

- would not have a significant effect on the landscape or upon the archaeological or cultural heritage of the area,
- would not give rise to any significant impact on the natural heritage of the area,
- would not seriously injure the amenities of the area or of property in the vicinity,
- would not be detrimental to the environment, and
- would be acceptable in terms of traffic safety and convenience,

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

**Member of An Bord Pleanála
duly authorised to authenticate
the seal of the Board.**

Dated this day of 2016.