



An
Bord
Pleanála

Inspector's Report PL07.248227

Development	Part demolition and extension of hospital with changes to fenestration, construction of canopy, entrance, pedestrian access, carpark, water attenuation system, gardens and associated site work
Location	The Grove Hospital, Vicar Street, Tuam, Co. Galway.
Planning Authority	Galway County Council.
Planning Authority Reg. Ref.	16/1764.
Applicant(s)	Health Service Executive (HSE west).
Type of Application	Permission
Planning Authority Decision	Grant.
Type of Appeal	Third Party
Appellant(s)	Noreen Meehan.
Observer(s)	None.
Date of Site Inspection	16 th of May 2017.

Inspector

Karen Hamilton.

1.0 Site Location and Description

- 1.1. The subject site is located within the town centre of Tuam, County Galway. The subject site contains the old Bon Secour Hospital which has been empty for some time. The site is accessed from the main Vicar Street along the west of the site and the front carpark is currently open to the public and in operation by the County Council. There is a vehicular access to the rear of the site from a separate access, currently closed to the public, and there is extensive open space to the side and rear of the hospital.
- 1.2. There is a large garden to the rear, south east of the hospital, which is referred to as a burial ground. There are mature trees leading into this area, which also contains a grotto and is bound by a 1.2m high block wall. Construction is underway on an adjacent site, south of the subject site, for a primary health facility.

2.0 Proposed Development

- 2.1. The proposed development includes alterations to a hospital and may be summarised as follows:

Phase 1:

- Demolition of 502m² part two storey extension to the rear (south-east) of the building and a 24m² outbuilding to the (north-west) front of the building,
- Refurbishment of a 1,484m² of the ground floor and first floor of the existing hospital including new external render, windows and changes to fenestration to accommodate changes to the interior,
- Construction of a new canopy at the front entrance, a 32m² single storey entrance and waiting area and a new 108m² single storey extension housing the plant rooms,
- Reconfiguration of the carpark to the front of the building, new pedestrian entrance and set down area, including new access/ egress and alterations to boundary.
- Construction of part of the overall proposed carpark to the rear providing an additional 26 parking spaces.

Phase 2:

- Demolition of 44m² single storey section to the (south west) side and 10m² of ground floor and first floor of the existing Hospital and Chapel, including new external render, windows and changes to fenestration to accommodate changes to internal alterations,
- Construction of a second new entrance canopy to front of the building and a new 95m² extension to the front and side (south west),
- Construction of car parking to the side and rear of building c. 43 spaces and set down area,
- New attenuation system,
- External landscaped gardens to the site together with associated site works.

3.0 Planning Authority Decision

3.1. Decision

Decision to grant permission subject to 15 conditions. Conditions of note include:

C 6: Archaeological monitoring required during ground works.

C 9: Compliance with the recommendations of the Bat Survey.

C 14: Submission of all signage.

C 15: Section 48 levy for a nursing home.

3.2. Planning Authority Reports

3.2.1. Planning Reports

The report of the area planner reflects the decision to grant permission and refers to the documentation on the historical interest on the site, the report of the Conservation officer, the traffic arrangement and the bat survey.

3.2.2. Other Technical Reports

Road Department - No objection to proposal

3.3. Prescribed Bodies

None received.

3.4. Third Party Observations

Two observations were received one from the appellant and these issues have been addressed in the grounds of appeal. The second observation was from an adjoining resident in relation to impact on residential amenity from the rear carpark in particular the proposed external lighting.

4.0 Planning History

No relevant planning history on the subject site.

5.0 Policy Context

5.1. Tuam Local Area Plan 2011-2017

Deferral notice under 19 (1)(d) of the Planning and Development Act for a period of 2 years from 25th of January 2016.

The site is partially (rear open space) zoned as CI Town Centre/ Commercial although the main building is zoned as CF community Facilities where it is an objective *“To provide for community uses and public/ institutional uses”*.

- Hospital is open for consideration as a use within both zonings.

Section 7.2.1.4: Healthcare

Support is provided for the reopening of the Bon Secour Hospital and the provision of a range of in-patient and outpatient facilities to serve Tuam and north Galway catchment.

Policy RCF 12: Ensure adequate lands and service are available for the improvement, establishment and expansion of health and related services.

Policy RCF 14: Facilitate the accommodation of healthcare functions at suitable locations in liaison with the appropriate health authorities.

Policy RCF 16: Retain any existing open character of institutional lands where Town Centre/ Residential Development is permitted and reserve a minimum of 20% of the total site area for communal open space, where appropriate.

Section 9.1.5: Tress, urban Parkland/ Woodlands and Hedgerows

The most significant urban woodland/ parkland areas include lands to the rear of the former Bon Secour Hospital.

- **Objective NH11:** Protect the parkland areas and trees identified in the Plans Specific Objective Map and including those in the following locations:
 - on land to the rear of the former Bon Secour Hospital

Table 10.10.4: Car parking standards for Hospital: To be agreed with the Council

Table 10.10.6: Bicycle parking standards for Hospital: 1 space for every 1,500m²

Record of Monuments and Places

- Reference to a Children’s Burial Ground in the Record of Monuments and Places (GA029-17101). The location has not been included in the objectives map and was included in the “OPW: Record of Monuments and Places 1997”

5.2. Natural Heritage Designations

The site is c. 2.5km from the edge of the Lough Corrib SAC.

6.0 The Appeal

6.1. Grounds of Appeal

The grounds of appeal are submitted from a relative of the “*Tuam Grove Garden Babies*” and the issues raised may be summarised below:

- The conditions imposed by the permission do not adequately address fears relating to the unofficial burial of babies in unconsecrated graves.
- Whilst the planning permission excludes the children burial plot it is clearly still within the HSE site and because it is outside the application it is not subject to the conditions of the permission e.g. C 6 and archaeological monitoring.

- The burial ground will be landlocked and without protection by the state and it is requested it receives some protection and is retained as a Garden of Remembrance for the deceased and a Garden of Tranquillity and respite for the living.

6.2. **Applicant Response**

An agent on behalf of the HSE (west) has submitted a response which may be summarised as follows:

- The proposed development accords with the development plan.
- The proposed development will be within the red line of the planning application and no ground disturbance will occur outside the site or within the area concerned by the appellant.
- Condition No 6 adequately addresses the impact on archaeology within the site and it is unreasonable to require any monitoring outside where the development is not proposed.

6.3. **Planning Authority Response**

None received.

6.4. **Observations**

None received.

7.0 **Assessment**

7.1. The main issues of the appeal can be dealt with under the following headings:

- Archaeological and Architectural Heritage
- Traffic and Access
- Residential Amenity
- Appropriate Assessment

Archaeological and Architectural Heritage

- 7.2. The proposed development includes a new entrance, extension (c. 240m²) along the south and east (rear), internal alterations and change to the external materials of The Grove Hospital which is currently derelict and has not been in operation since 2001. The building was previously protected under the Tuam Town and Environs Development Plan 2000-2005 and currently abuts the Tuam ACA. The grounds of appeal are submitted in relation to the archaeological interest on the site which I have addressed below in addition to the architectural impact.
- 7.3. Archaeology: The grounds of appeal have a particular concern in relation to an area of land to the rear of the building, identified in the application as a burial ground. The hospital building was previously owned by the Bon Secour order and the supporting planning statement from the applicant refers to this area as a former burial ground for the Bon Secour order, which has now been deconsecrated. The grounds of appeal argue there currently exists other remains, of children, which have not been removed and it is requested the area is formally protected and retained as a Garden of Remembrance. This area is outside the site of the proposed development although within the ownership of the applicant. Condition No 6 requires archaeological monitoring during construction works and the grounds of appeal argue this condition on archaeological protection will not extend to the burial ground as it is outside the site of the proposed development. Based on the previous history on the site and location of the burial ground to the rear of the site, outside the proposed development, I consider an archaeological monitoring condition reasonable to prevent any impact on the surrounding area.
- 7.4. With regard to the request for formal protection, I note Objective NH11 of the local area plan states *“Protect the parkland areas and trees identified in the Plans Specific Objective Map and including those in the following locations: on land to the rear of the former Bon Secour Hospital”*. The proposed development is not included within the parkland area; therefore, I consider this objective has been complied. I consider the most appropriate method to apply protection for any area is through the statutory development plan process. I note the term of the current Tuam Local Area Plan has been extended and is due for review before the end of January 2018.

7.5. Architectural: In relation to the architectural impact I note the building no longer has any statutory protection. The supporting architectural impact statement refers to the retention of the overall structure of the main building. It also states the proposed design respects the scale and proportion of the current building with contemporary amendments to the elevations. Upon site inspection I noted a mix in the materials on the current building where the majority of the windows along the façade were either removed or replaced with a modern material, although to the side and rear timber sash windows remained. In addition, the Church building to the side has stained glassed windows which I consider of merit. Based on the retention of a significant amount of the existing building, I consider the contemporary design and modern materials proposed are appropriate at this location although I consider it reasonable to include a condition that those windows or architectural merit are protected, salvaged so they may be reused.

Traffic and Access

7.6. The proposed development utilises existing access points for a carpark to the front and the staff parking to the rear. A Road Safety Audit has been submitted and includes the findings of a traffic survey, input from Trip Rate Information Computer Systems (TRICS) and compliance with national and local transport guidance. The car parking provision is 85 spaces, there are no specific standards included in the development plan and I consider the amount of visitor and staff parking sufficient. I note the report of the Roads Department has no objection to the proposed development. Therefore, based on the use of the proposed access and provision of parking on the site I do not consider the proposed development would have a negative impact on the traffic in the area.

Residential amenity

7.7. The site is located adjacent to Tuam town centre and there is a row of residential properties located along the north east and c. 10m from the site. The proposed development is to accommodate a mental health day centre and early intervention disability service which would be mainly operational during the daytime. A submission to the planning application referred to the use of the site outside normal opening hours and the need for the external lighting for the carpark to the rear. Details of external lighting was submitted as unsolicited information, which states

that LED lanterns on 6m poles with downward lighting will be used in the staff carpark to the rear, which I consider reasonable. Therefore, based on the location of the existing dwellings, the use of the building and the design of the lighting I do not consider the proposed development would have a negative impact on the residential amenity by way of light pollution.

Other matters

- 7.8. A Bat Survey has been submitted which identified the presence of Brown long-eared bats within the building. Bats are protected under Annex IV of the Habitats Directive and bat roosts can only be destroyed under licence under the Wildlife Act of 1976-2012 and a degradation licence under the Birds and Natural Habitats Regulations. Mitigation measures included in the survey referred the application of a licence from the NPWS, if required. Based on the information contained within the bat survey and the habitat protection, I consider it reasonable to include a condition requiring consultation with the NPWS.

Appropriate Assessment

- 7.9. The subject site is located 2.5km from the edge of Lough Corrib SAC and within Tuam town centre, therefore having regard to the nature and scale of the proposed development within a serviced urban area and separation distance to the nearest European site, no Appropriate Assessment issues arise and it is not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on the conservation objectives of any European site.

8.0 Recommendation

- 8.1. I recommend that planning permission should be granted, subject to conditions, as set out below.

9.0 Reasons and Considerations

Having regard to the zoning objective, the nature and scale of the proposed development and the policies of the current Tuam Local Area Plan 2011-2017 it is considered that subject to compliance with the conditions below, the

proposed development would not seriously injure the residential or visual amenity of the area, have a significant negative impact on the architectural or archaeology of the site or endanger public safety by reason of traffic hazard. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

10.0 Conditions

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

Reason: In the interest of clarity

2. Prior to commencement of development, the developer shall provide for the following:-
 - (a) The appointment of a conservation expert, who shall manage and monitor the removal of stained glass and timber sash windows on the site and ensure adequate protection during those works and subsequent reuse as salvaged material.

All removal works shall be carried out in accordance with best conservation practice as detailed in the application and the “Architectural Heritage Protection Guidelines for Planning Authorities” (Department of Arts, Heritage and the Gaeltacht, 2011).

Reason: To ensure that the integrity and protection of the historic fabric.

3. The developer shall facilitate the preservation, recording and protection of

archaeological materials or features that may exist within the site. In this regard, the developer shall -

(a) notify the 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 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 site and to secure the preservation and protection of any remains that may exist within the site.

4. Detailed measures in relation to the protection of bats shall be submitted to and agreed in writing with the planning authority, prior to commencement of development. These measures shall be implemented as part of the development. Any envisaged destruction of structures that support bat populations shall be carried out only under licence from the National Parks and Wildlife Service and details of any such licence shall be submitted to the planning authority.

Reason: In the interest of wildlife protection

5. 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.

Reason: In the interest of public health

6. 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.

Karen Hamilton
Planning Inspector

14th of June 2017