



An  
Bord  
Pleanála

## Inspector's Report ABP-304763-19

---

<b>Development</b>	Amendments to previously approved scheme (reg.ref.: 2219/17).
<b>Location</b>	Mater Private Hospital, Eccles Street, Dublin 7, D 07 WKW8.
<b>Planning Authority</b>	Dublin City Council North
<b>Planning Authority Reg. Ref.</b>	2667/19
<b>Applicant(s)</b>	Mater Private Hospital
<b>Type of Application</b>	Permission
<b>Planning Authority Decision</b>	Grant
<b>Type of Appeal</b>	Third Party
<b>Appellant(s)</b>	An Taisce
<b>Observer(s)</b>	TII
<b>Date of Site Inspection</b>	12 <sup>th</sup> January 2020
<b>Inspector</b>	Suzanne Kehely

## 1.0 Site Location and Description

- 1.1. The Mater Private Hospital is part of a landmark hospital facility in the north inner city and occupies the eastern end of a substantial urban block defined by Dorset Street, Eccles Street, Berkeley Road and North Circular Road. The private hospital site (subject site) has public road frontage on three sides with its principal frontage on Eccles Street and the back of the hospital fronting Eccles Place. A small section fronts Dorset Street which is otherwise fronted by a terrace of Victorian premises that partially back directly onto the site and Carrolls Court laneway which also borders the site. The western side of the hospital fronts onto the hospital car park and undeveloped lands which separate the private hospital from the public hospital further west along Eccles Street. Much of the immediately surrounding character is derived from the Georgian streetscapes punctuated by the visually prominent architectural landmark, namely St. George's Church (former), Hardwicke Place with its spire providing a strong focal point in the skyline. Eccles Street includes an extensive number of Protected Structures opposite the site. Dorset Street ranges from small and large scale two-storey buildings to five-storey building in a mix of architectural styles. The Georgian core in this part of the city is concentrated to the eastern side of Dorset Street.
- 1.2. The Mater Private Hospital is a contemporary building presented as a predominantly four and five-storey building to parapet height onto Eccles Street with a stepped back roof level and which steps down to the appearance of three storeys at the junction with Dorset Street. To the rear, the building is modelled and stepped down to one and two storeys. This is the location of the service area and includes a car park entrance and blank facades with some higher-level windows.
- 1.3. The Mater University Hospital (public hospital) occupies the western end of the urban block of which the site forms a part.
- 1.4. There is a basement for services and 6 car park spaces for staff and emergency use and this is accessed from Eccles Place. Public parking is available at the Mater Public Campus (440 spaces) in addition to on-street parking. The area is well served by public transport and there is a nearby planned Metro station.

## 2.0 Proposed Development

- 2.1. It is proposed to add two additional storeys introducing 6<sup>th</sup> and 7<sup>th</sup> floor levels to the existing 5 storey over basement hospital building.
- 2.2. It is also proposed to extend the fourth and fifth floor levels in the south east corner at Eccles street and Dorset Street.
- 2.3. The overall additional floor area proposed is 2891 sq.m. which includes plant and results in a total floor area of 24,011 sq.m.
- 2.4. The additional two levels are proposed in a stepped profile from the new brick parapet. It is proposed to remodel the existing recessed top floor and realign it with the principal façade in terms of profile, fenestration and brick cladding.
- 2.5. In more precise terms the development involves additional hospital space through the demolition of a plant room at level 04 (c. 24sq.m.), the provision of extensions at level 04 (measuring c. 98sq.m.), level 05 (measuring c. 95 sq.m. floor area (of which 55 sq.m. is plant rooms)) and Level 06 (measuring 1,369 sq.m. floor area (of which 137 sq.m. is plant room)) and the provision of a new floor of development into the existing hospital building, described as Level 07 (measuring c. 1317 sq.m. floor area (of which 137 sq.m. is plant room)).

Note: section 3.2 of Planning Report sets out key statistics on floor area increases taking account of existing, permitted/intended and currently proposed in this application.

- 2.6. The two new levels are designed in steel and glazing with a high amount of glass void in contrast to the more traditional solid to void façade at the brick facade levels. New façade treatment is also proposed on the southern elevation of level 05. A screen open plant room is proposed at level 06. Two existing flues will be extended on the northeast stairs' façade. Two permitted flues are to be relocated from level 05 to level 08 (roof) and two new exhaust flues are proposed at roof level. Other features include a new roof light to the sir extension to the roof at level 04, relocation of the atrium roof to level 08 and provision of two extract fans, guard rails associated internal and external elevational changes, alterations to site services and associated site works.

- 2.7. The levels provide mostly additional bed space (47 inpatient bedrooms which is a 23% increase) with ancillary medical care services.
- 2.8. Two additional lifts are proposed internally through the existing building to serve each floor level from existing the public circulation/atrium area in Levels 00 up to new level 07. These will be directly opposite the existing pair of publicly accessible lifts which will also be extended to new levels 06 and 07 floors along with the Goods lift. This is additional to the replacement of two passenger lifts in the west wing serving all levels 00 to 07. One will be a firefighters' lift which will require an emergency generator.
- 2.9. The development also involves reorganising of 3 rooms at level 05.
- 2.10. The following supporting specialist documents provide the detailed rational and design process:
- **A Planning Report:** This sets out the planning history and legislative framework for the application (- it is not in itself Strategic Infrastructure Development), the justification for the proposed hospital expansion and the design process by reference to planning policy, health services and contextual issues.
  - **A Conservation Assessment** which examines the building evolution of the hospital site at large, the context with reference to protected structures and conservation status and the impact of the proposed development on this architectural setting which includes Eccles Street, Dorset Street and the Protected Structure St. Georges Church (former use) on Hardwicke Place.
  - **Mater Hospital Shadow Diagrams.**
  - **Mechanical Electrical and Lift services report** which includes a lift analysis of wait times and identifies that the wait times exceeds HTM 08-02 Guidelines and additional lifts are accordingly required.
  - **Screening Report for Appropriate Assessment** of proposed development.
  - **Traffic and Transport Assessment:** As the area is well served by public transport (buses and future Metro, e.g. Metro North – adjacent stop or metro link stop 400m away) there is no additional car parking proposed.

Marginal increase in traffic in the order of 3.4% is considered to have insignificant impact. A Construction stage Traffic Management Plan will be prepared and agreed with DCC and carried out in consultation with all major stakeholders.

- Mobility Management Plan: This focuses on emphasising public transport among other measures so as to reduce car parking demand.
- Flood Risk Assessment: The site lies within a Flood Zone C and the class of development is defined as Highly Vulnerable. Following for a Stage 2 initial Flood Risk Assessment it was determined that there is no requirement to undertake a detailed Flood Risk Assessment on the proposed development. The vulnerability Matrix as shown in Fig. 4.1 identifies that there is no need for a Justification Test.
- Water Services Report: This concludes that the existing supply is adequate to serve the proposed extension and there will be no requirement to make additional connections.

## **3.0 Planning Authority Decision**

### **3.1. Decision**

The planning authority decided to grant permission subject to 12 conditions.

### **3.2. Planning Authority Reports**

#### **3.2.1. Planning Reports**

- The principle of the development is acceptable by reference to the zoning objective Z15.
- The nature of the hospital extension creating an additional 47 bed spaces to an existing 205 is considered to be modest and significantly below the threshold for SID development.
- While acknowledging the higher plot ratio for such a location/zone, it is accepted that there is no actual limit and that the merits of case by reference to development control criteria in chapter 16 applies. In this context the scale and

mass combined with the public transport service, a higher ratio of development is acceptable.

- The height at some 26.2m is acknowledged as being at the upper limits however the hospital development on site is already large scaled relative to the surrounding 3-4 storey heights.
- Montaged views illustrate impact not significant.
- There is adequate separation from protected structures on Eccles Street and the difference in heights is not considered to impact adversely on the visual amenity of the area.
- Accepts that the design rational. The resultant hierarchy with simple strong façade articulation makes the overall appearance acceptable.
- Impact on adjacent development acceptable given the focus of height and massing on the southern side, the shadow analysis and the ownership of two of the adjacent Dorset Street premises.
- Traffic not an issue given the available transport and parking. Cycle parking is adequate.
- Overall scale is considered acceptable and would not seriously injure amenities.
- Stage 2 Appropriate Assessment not required.

### 3.2.2. Other Technical Reports

Engineering Department: Drainge Division: No objection subject to conditions.

Waste Management Division: No objections subject to conditions.

### 3.3. Prescribed Bodies

- 3.3.1. TII: No objection in principle raised. The site falls with an area near the Luas Cross City (St Stephen's Green to Broombridge and Light Rail and where section 49 supplementary. Development contribution scheme applies subject to exemptions.

The Code of engineering practice for works on or near the Luas Light system is referred to generally.

3.3.2. An Taisce: Refusal of permission is recommended as:

- The two additional floors does not comply with the protection afforded adjacent Z8(conservation area) and transitional zone policy for this Georgian core location in the north Inner City: It would seriously injure views and vistas within the formal planned Georgian streetscape towards St. Georges and to the setting of terraced Georgian Protected Structures on the opposite side of Eccles Street.
- The description is confusing.
- Extension to this building in this manner constitutes a further erosion of architectural design quality. Original hospital is submitted to be further to 'unfortunate' permission for the existing additional storey.

3.3.3. The Board also invited submissions/observation from the DAU, The Heritage Council, Failte Ireland and the Dep. of the Arts but no submissions were made in response.

#### 3.4. **Third Party Observations to planning authority**

Mountjoy Square Society objects to the proposal on grounds of impact on Georgian architectural heritage concerned about view from Gt Denmark Street/Gardiner Place and views from and context of St Georges church. The proposal does not respect the prevailing parapet lines and roof line of the church as viewed from key points in the surrounding streets and which have been largely maintained over ten years along with the primacy of St. George's Church. No 3D middle distance view from Denmark St/Gardiner Place.

## 4.0 **Planning History**

### 4.1. **Mater Private**

**An Bord Pleanala ref 244437/ PA ref 3671/14** Permission granted for Retention of New Access Gate, Electricity Isolation Transformer & Cladding

**PA ref 2219/17/PA ref. 3464/17/PA ref 2429/18/ PA ref: 3749/16** each refer to permissions granted for minor extensions, alterations and flues/plant/signs

**An Bord Pleanála ref 239716/** PA ref 3071/11: Permission granted for Alterations and extensions to existing hospital, retention of use of car park for ancillary hospital uses.

**An Bord Pleanála ref PC0119** Extension (up to 3 storeys) to Mater Private and some reconfiguration is not SID

**PA ref: 30711/11** Permission granted for extension including increasing Eccles Street element by one storey to provide six storeys.

**PA ref. 3656/10:** Permission granted for single-storey extension into the western internal courtyard.

**PA ref. 5458/08:** Permission granted for plant room.

**PA ref. 6637/07:** Permission granted for modification to the design of previously approved extensions (2592/07). The modification includes reduction in floor level from 67sqm to 42sqm of the single-storey extension at Level 02.

**PA ref. 2592/07:** Permission granted for single-storey extension on Level 02 into external courtyard to accommodate a new staff area. Single-storey extension on Level 02/roof level at the north of the building to accommodate additional stores and offices. Single-storey extension to existing plant room on Level 03.

#### 4.2. **Mater Misericordia University Hospital and car park**

**PA ref: 2900/19** Permission granted for helipad.

**An Bord Pleanála ref PA0024** Refusal of permission for National Paediatric Hospital (392 bed in patient plus 53-day care) with a total floor area of 108,356 sq.m. and 972 car park spaces rising to 74metres above ground (16 levels) and stepping back at up to 40m from Eccles St. The reasons and considerations stated that,

Notwithstanding the general acceptability of the proposal in terms of medical co-location on this inner city hospital site, it is considered that the proposed development, by reason of its height, scale, form and mass, located on this elevated site, would result in a dominant, visually incongruous structure and would have a profound negative impact on the appearance and visual amenity of the city skyline. The proposed development would contravene policy SC18 of the Dublin City Development Plan, 2011-2017, which seeks to protect and enhance the skyline of the inner city and to ensure that all proposals for mid-



rise and taller buildings make a positive contribution to the urban character of the city.

Furthermore, the development as proposed, notwithstanding the quality of the design, would be inconsistent with, and adversely affect, the existing scale and character of the historic city and the established character of the local area and would seriously detract from the setting and character of protected structures, streetscapes and areas of conservation value and, in particular, the vistas of O'Connell Street and North Great George's Street.

**An Bord Pleanála ref 245396** permission refused for parking sign on Eccles St for adjacent car park on grounds of visual obtrusion/clutter

**An Bord Pleanála ref 226878** (PA ref 5449/07) Permission for alteration to previously permitted development 4929/03 and 2563/03 Mater University Hospital

**An Bord Pleanála ref PC0123** Mortuary refurbishment at Mater University Hospital is not SID.

## 5.0 Policy Context

### 5.1. National Planning Framework (2018)

- 5.1.1. The National Planning Framework seeks compact urban growth. NPO 5 refers to scale and quality of urban development; and NPO13 refers to a move away from blanket standards for building height and car parking etc. and instead basing it on performance criteria.

### 5.2. Urban Development and Building Heights, Guidelines for Planning Authorities (2018)

- 5.2.1. These guidelines provide a framework to implement the strategy of consolidation set out the National Planning Framework. Section 3 provides guidance in Building Height and the Development Management process.
- 5.2.2. Development Management Criteria: Section 3.2 advises that in the event of making a planning application for a higher building the applicant shall demonstrate to the satisfaction of the Planning Authority/ An Bord Pleanála, that the proposed development satisfies criteria including :
- It is at the scale of the relevant city/town

- The site is well served by public transport with high capacity, frequent service and good links to other modes of public transport.
- Development proposals incorporating increased building height, including proposals within architecturally sensitive areas, should successfully integrate into/enhance the character and public realm of the area, having regard to topography, its cultural context, setting of key landmarks, protection of key views.<sup>3</sup> Such development proposals shall undertake a landscape and visual assessment, by a suitably qualified practitioner such as a chartered landscape architect.
- On larger urban redevelopment sites, proposed developments should make a positive contribution to place-making, incorporating new streets and public spaces, using massing and height to achieve the required densities but with sufficient variety in scale and form to respond to the scale of adjoining developments and create visual interest in the streetscape.
- Criteria is also set out regarding scale of neighbourhood/street and scale of site/building.

### 5.3. Dublin City Development Plan 2016-2022

- 5.3.1. The site is part of larger tract of land governed by the objective to provide for **institutional** educational a recreational, **community**, green infrastructure and **health uses**' (Z15).
- 5.3.2. **Transitional zone** considerations are relevant as the site is surrounded by a mix of land uses: It is flanked to the east by a substantially Victorian terrace on Dorset Street subject of the objective to protect, provide and improve residential amenity' (Z1) which also applies to the residential enclave to the north on the opposite side of Eccles Lane. The area opposite the site on Eccles Street is subject to the objective 'to protect the architectural and civic design character and to allow for only limited expansion consistent with the conservation objective' (Z8) and this objective extends along almost the entire terrace but excludes the first three premises at the Dorset Street end which are part of the Z4 objective 'to provide for and improve mixed-services facilities' along Dorset Street. All bar one premises on the opposite side of Eccles Street are included in the record of Protected Structures and this contuse around the corner along Dorset Street to the south of the site. The building on the diagonally opposing corner is also included. Dorset street is separated by 20<sup>th</sup>

century housing schemes (Z1) from the north inner-city Georgian Core an area of Architectural interest. St Georges church is protected by the z8 objective amid surrounding housing.

### 5.3.3. **Built Heritage and Urban Form**

**Policy SC7** seeks to protect and enhance important **views** and view corridors into , out of and within the city and to protect existing landmarks and their promenade.

It is a key objective of the core strategy to protect and enhance the special characteristics of the city's built and natural heritage. The principal measures enabling the City Council to achieve this objective are the Record of Protected Structures and the designation of Architectural Conservation Areas.

5.3.4. **Taller Buildings:** Chapter 4 outlines the shape and structure of the City and provides for taller buildings in designated areas. **Outside these designated areas and SDRAs it is otherwise policy to retain the remaining areas of the city to a maximum height of between 16m and 28m depending on location...**the height limitations set out in the development plan may be set aside or relaxed in considering a proposal for the redevelopment of the site which will provide for the continuation of its national, historic, social and cultural status.

Approach to Taller Buildings.( Section 4.5.4.1): Dublin City Council acknowledges the **intrinsic quality of Dublin as a low-rise city and considers that it should remain predominantly so.** The vast majority of the city area is identified as not being suitable for mid-rise or taller buildings. The City Council remains **committed to the need to protect conservation areas, architectural conservation areas and the historic core of the city.**

However, taller buildings can also play an important visual role and can make a positive contribution to the skyline of a city. Dublin City Council recognises the merit of taller buildings, including landmark buildings, in a very limited number of locations at a scale appropriate for Dublin. Accordingly, the **spatial approach to taller buildings in the city is in essence to protect the vast majority of the city as a low-rise city,** including established residential areas and conservation areas within the historic core, while also recognising the potential and the need for taller buildings to deliver the core strategy.

Clustering of taller buildings of the type needed to promote significant densities of commercial and residential space are likely to be achieved in a limited number of areas only. Taller buildings (over 50m) are acceptable at locations such as at major public transport hubs, and some SDRAs.

SC28 To promote understanding of the city's historical architectural character to facilitate new development which is in harmony with the city's historical spaces and structures.

**CHC1:** To seek the preservation of the built heritage of the city that makes a positive contribution to the character, appearance and quality of local streetscapes and the sustainable development of the city.

**CHC4** ...Development will not:

1. Harm buildings, spaces, original street patterns or other features which contribute positively to the special interest of the Conservation Area
2. Involve the loss of traditional, historic or important building forms, features and detailing including roof-scapes, shopfronts, doors, windows and other decorative detail
3. Introduce design details and materials, such as uPVC, aluminium and inappropriately designed or dimensioned timber windows and doors
4. Harm the setting of a Conservation Area
5. Constitute a visually obtrusive or dominant form.

Changes of use will be acceptable where, in compliance with the zoning objective, they make a positive contribution to the character, function and appearance of Conservation Areas and their settings.

The Council will consider the contribution of **existing uses** to the special interest of an area when assessing change of use applications and will promote compatible uses which ensure future long-term viability.

5.3.5. Sections 16.2.2.3 provides guidance for alterations and extensions

5.3.6. Section 16.7 refers to Building Height in a sustainable City.

## 5.4. Natural Heritage Designations

- 5.4.1. There are no sites within a 2km radius – the nearest sites or potentially connected sites are: South Dublin Bay and River Tolka Estuary SPA - site code 4024, the South Dublin Bay SAC - site code 0210, the North Dublin Bay SAC 0206 , the North Bull Island SPA – site code 4006 and the Poulaphouca Reservoir SPA site code 4063 (drinking water supply)The site is about 1.2 km from both the River Tolka and the River Liffey.

## 6.0 EIA Screening

- 6.1.1. While a hospital development on the site at large could be seen to be an infrastructural project (Class 10 (b)), having regard to the nature of the proposal as an extension within an existing development footprint and to the nature and scale of likely works involved, it is considered that the proposed development would not result in a real likelihood of significant effects on the environment. The need for environmental impact assessment can, therefore, be excluded at preliminary examination and a screening determination is not required.

## 7.0 The Appeal

### 7.1. Grounds of Appeal

An Taisce has appealed against the decision to grant permission on the basis that the site is constrained for the scale and nature of the two additional floors due to the sensitive architectural heritage context and the provisions of the development plan to protect such heritage. Particular reference is made to:

- Z8 Georgian Conservation Area zoning
- Transition Zone context and policy for such areas
- Protection of the setting and special interest of Protected Structures
- Protection of views vistas and City landmarks

- The montages are considered inaccurate. A superimposed sketch of impact is attached showing a greater degree of impact in a middle-distance view.

## 7.2. Applicant Response

- Public Notice: Every element of the development was described and clearly shown in the drawings and in accordance with the Development Management Guidelines for Planning Authorities, 2007. The purpose of the Regulations was served as evident in the appellant's actions.
- Height: consistent with height limits in Development Plan whilst respecting the character of the area. No Protected Structure or Zoned 8 area will be affected.
- No abrupt transition in scale and massing.
- No adverse impact on streetscape or protected structures: The proposed development is not located within the view corridor of any key view or prospect. Potential impact on streetscape was a key consideration in design. Photomontages illustrate negligible impact e.g. view 1. Illustrates negligible impact on PS on Eccles St and St. George's Church, Hardwicke Place. Six other viewpoints demonstrate impact
- It is clarified that the photomontage images of the street views are accurate and have been verified. In support of this the viewpoint submitted by An Taisce is reproduced by Digital Dimensions and demonstrates how the appellant's submission is misleading. Further images are appended. (View 7)
- The Urban Development and Building Height Guidelines support the hospital expansion and the basis of the design framework with a wider strategic policy context and site-specific performance criteria.
- In support: The Mater Private is a world class leading health care facility with speciality services. The extension of this facility strengthens the city's role in providing access to critical services.
- The zoning provides for the nature of the development use while the development control standards serve to shape the structure. Guidance

standards have been adhered to; The max height of 28m has not been exceeded notwithstanding the strategy of consolidation.

- This is an efficient and sustainable use of Z15 land; It is a compact form of expansion of a key health facility while meeting with the urban form strategy and land use objectives for the city. Policies CEE20, CEE21, SN22 all support intensification.

### **7.3. Planning Authority Response**

- No further comments

## **8.0 Assessment**

### **8.1. Issues**

- 8.1.1. This appeal relates to an expansion of the Mater Private Hospital in the city centre. Having examined the submissions and the site and its context, the key issues centre on principle of development and visual impact on streetscapes. Other issues considered in the course of the assessment by the planning authority relate to traffic and to amenity issues of surrounding dwellings. Appropriate Assessment is a mandatory issue. The appellant also raises procedural issues.

### **8.2. Principle of development**

- 8.2.1. The proposed hospital expansion will provide a 23% increase of bed spaces primarily by increasing the massing and height of the existing structure within the same footprint which presently amounts to an 88% site coverage. While the development, as an extension of an established hospital, does not in itself amount to a Strategic Infrastructure project within the meaning of the Planning Act, it is nevertheless a significant specialist world-class medical resource in a national context. ( I refer to section 3.3 of the applicant's Planning Report.). In terms of compliance with land use policy, a key city centre health facility will be enhanced by the subject development and in this way the proposal accords with the land use objectives for the site and adjacent hospital facilities in the same urban block.

### 8.3. **Building format and compatibility**

- 8.3.1. In terms of building format, the proposal is at the upper height limit guide of 28m as set out within the development plan for the city at large. The proposed increase to under 28m in height is I consider compatible with the scale of the urban block of which it forms a part and which also includes modern buildings of 8/9 storey equivalent in the hospital complex to the west. While it is higher than the prevailing building height set by the historic buildings in the area, the proposal is not a tall building within the meaning of the Development Plan policy. The location is however adjacent to areas of conservation interest being subject of an objective to conserve the architectural character and the area includes many protected structures. This is the core issue in the grounds of appeal. The site however is not within a conservation area, but consideration of the transitional context is appropriate.
- 8.3.2. In terms of plot ratio, the development exceeds the guide of 0.5-2.5:1 however there is some latitude for exceeding this, such as, for example, where the site already exceeds guidance and the overall impact would not be detrimental to the character of the area. In this case it will be increased from a permitted ratio of 3.47:1 to 3.95:1 and is for the purpose of facilitating and enhancing an existing hospital. The site however has capacity for larger scaled building. The expansive building footprint allows for a recessing at upper levels. The context of multi-lane carriageway and wide Georgian streets together with the backdrop of a large scaled hospital campus also allows for visual assimilation. The extension has been further assimilated with the existing building by remodelling of the upper level and façade and the incorporation of a stepped profile. While a breach from the older building heights, the principle is acceptable in the context of the “Urban Development and Building Heights Guidelines for Planning Authorities”. In this case, the increased height and scaling of the proposal would not I consider result in an abrupt transition, would constitute an efficient use of land and would not in a wider context undermine the protection of the low rise character of the city.

### 8.4. **Visual Impact**

- 8.4.1. In this analysis I refer to the architectural visualisation images prepared by Digital Dimensions. These included 6 views of existing and proposed structure in the



planning application documentation and further images in the response to the appeal grounds.

**Impact on Eccles Street:**

8.4.2. View 1 shows the proposed elevation as viewed from the western end of Eccles Street towards Hardwicke Place and includes the terraces along the southern side of Eccles street with St. George's Church closing the view. In the proposed extension the new parapet in the revised brick elevation is shown to reflect streetscape elements of the southern side such as in the solid to void relationship in the brick elevation and the stepping in parapet roof heights. The additional floor levels are clearly demarcated by a stepped profile and contrasting materials and form and successfully avoids a top heavy result. The immediate streetscape is substantially maintained by the façade modelling and homage to the Georgian idiom in a contemporary manner.

8.4.3. While I accept that the additional height contrasts with that prevailing in the surrounding structures immediately north, east and south, the site context of the Mater Hospital Block is quite different in terms of scale and form and its ability to absorb a deviance from the prevailing urban form. For this reason the impact on views along Eccles Street, while noticeable and contrasting with the opposing terrace is not detrimental. While An Taisce submits that the scale will amount to an imbalance and obtrusive effect on the street views, I note that the superimposed image as presented in its appeal is somewhat exaggerated as evident in the applicant's image in the applicant's response – I also refer to View 7 of that submission. The proposed development does not, I consider obstruct or unduly detract from the views along Eccles Street in the direction of the landmark St. George's Church which as can be seen from the montages (Digital Dimensions) , maintains its dominance in the views along Eccles Street.

**Impact on Dorset Street:**

8.4.4. The proposal involves the increase of the height of the frontage element at the corner of Dorset Street and Eccles Street from predominantly three storeys to four storeys over basement/lower ground with the higher levels stepped back from Dorset Street. (The extensions at levels 05, 06 and 07 will be set back form the Dorset Street Gabel. The extension at Levels 06 and 07 will be set back form the Eccles

street façade by 1000mm and 2000mm respectively.) These extensions will follow the existing façade line as it steps back from Eccles Street at the entrance to the hospital. The glazed day rooms adjacent to the hospital entrance will not be extended. Extension to the north of the floors will follow the existing upper floor footprint along Eccles Street. The proposed frontage is not I consider out of character with Dorset Street given the varied topography, architectural styles and building scales. While the more distant views reveal the higher levels (View 2- Digital Dimensions), this is in the context of an expansive and substantially modern urban block with partial frontage onto a wide city centre thoroughfare that is not as visually sensitive as its Georgian hinterlands. Notably it is not disproportionate as viewed from Hardwicke Place due to the scaling and visual balance with the diagonally opposing redbrick building on Dorset street/Hardwick Place. (View 3). Nor is the proposed style architecturally discordant in the context of the redevelopment of the plots in vicinity.

**Impact on Eccles Place/Lane/Close:**

- 8.4.5. View 6 shows a comparison of the view from the streets to the north where there is a residential enclave of single and two storey dwellings. The images show how the stepped set back at upper levels results in quite an imperceptible impact as viewed from the immediate street levels. The increase in height is only apparent at a distance due to the recessing of the upper levels which is I consider acceptable at this location.

**Impact on wider setting:**

- 8.4.6. An Taisce makes the case that the raising of the parapet relative to that of the Church, its portico and Spire detracts from its dominance as a prominent vista as viewed particularly along Eccles Street as well as in the wider context of the ordered Georgian streetscapes.
- 8.4.7. The applicant makes the case that the design approach has been sensitive to the streetscape and viewpoints and that in the case of the views of St Georges Church along Eccles Street, the stepped profile frames the view.
- 8.4.8. The key view in the area to the east is I accept defined by the landmark building namely, St. Georges Church on Hardwicke Place. However, I concur that the

stepped profile together with use of materials and colour will serve to frame the view of the spire rather than compete with it.

8.4.9. While I accept that from the viewpoint as submitted in the grounds of appeal which shows the bulk of the upper levels to somewhat overwhelm views of the church, I do not consider this to accurate. It is not significant to the extent that it would detract from the integrity of St. George's Church in the Georgian landscape nor would the development detract from the key views and vistas of the Architectural Conservation Areas. I say this having particular regard to the immediate context, to the subordinate scale, to the separation distance between the site and the architectural conservation areas and also to the obscuring of views by the mature trees along the same side of Eccles Street.

8.4.10. I further note that the scale of existing buildings on the south eastern side of Blessington Basin obscure any visual intrusion and impact on that area.

8.4.11. On balance I do not consider the development to give rise to any serious injury of visual amenity or to detract from the architectural integrity of either a building or area of conservation interest in the immediate or surrounding areas.

## **8.5. Impact on residential development to the north**

8.5.1. As explained in the design approach in the planning report, the massing of the extension at levels 05, 06 and 07 have been informed by shadow studies which I am satisfied show no loss of direct sunlight on houses to the north of the site and accordingly that there will be no material impact on amenity. Furthermore, the stepped profile, massing and use of glazing and materials serves to mitigate any potential for overbearing impact on the adjacent housing.

## **8.6. Traffic**

8.6.1. While the proposal provides for a 23% increase in bed space there is no increase in car parking facilities within or serving the site. The hospital expansion relies on existing facilities which includes public transport for which there are ongoing plans to upgrade through a metro service and improved bus network. The traffic report concludes that the increased impact on traffic will be negligible. I see no reason to dispute this and, in this regard, I note the Mobility Management Plan as part of the proposal, which is focussed on public transport but should I consider be enforced by

condition. I further note the satisfaction of the planning authority. I would also point out that the proportionally larger increase in lift capacity (which is presently substandard in terms of wait times) also serves to improve turnover of patients and visitors which leads to a more efficient use of resources.

#### **8.7. Other**

- 8.7.1. Procedural: An Taisce is concerned about the misleading nature of the public notices. I am satisfied that the proposed development is adequately described and is sufficiently shown in the drawings and submitted details as required under the Planning and Development Regulations 2001 as amended and as guided in Development Management Guidelines for Planning Authorities, 2007.

#### **8.8. Appropriate Assessment**

- 8.8.1. The site is not located within or directly adjacent to any Natura 2000 site. The site location is an established urban area and the site itself is developed, serviced and adjacent to a brownfield site within the wider hospital complex. There are no sites within 2km radius – the nearest sites or potentially connected sites are South Dublin Bay and River Tolka Estuary SPA - Site Code 4024, the South Dublin Bay SAC - site code 0210, The North Dublin Bay SAC 0206 , the North Bull Island SPA sit code 4006 and the Poulaphouca Reservoir SPA site code 4063 (drinking water supply). The site is about 1.2 km from both the River Tolka and the River Liffey.
- 8.8.2. Having regard to: the nature of the development in a serviced urban area, the absence of pathways for disturbance to habitats or species, the absence of a pathway to the Tolka, the capacity of the Ringsend wastewater treatment plant (to which the additional waste effluent will flow) combined with the absence of evidence of negative impact on South Dublin Bay and Tolka Estuary from pollution by a nutrient input, no change in hard surfacing impact on quality and quantity of surface water run-off, the absence of streams and watercourses in the vicinity of the site and the temporary nature of construction works and separation distance, the proposed development is unlikely to generate any significant impacts. The AA screening report refers to the wider impact of the projects and plans such as that associated with the implementation of the Water Frameworks Directive and continued improvement in Dublin Bay notwithstanding the cumulative impact of urban run-off. Notably the implementation of the drainage infrastructure on foot of the Greater

Dublin Drainage study together with the completion of the upgrading works at Ringsend Treatment Plant are likely to result in improved water quality. Accordingly I am satisfied to conclude that having regard to the nature and scale of the proposed development and nature of the receiving environment together with the proximity to the nearest European site, no Appropriate Assessment issues arise and it is therefore not considered that the proposed development would be likely to have a significant effect individually or in combination with other plans or projects on a European site.

## 9.0 Recommendation

GRANT permission for the proposed development in accordance with the said plans and particulars based on the reasons and considerations under and subject to the conditions set out below.

## 10.0 Reasons and Considerations

Having regard to the provisions of the Dublin City Development Plan, 2017-2022 which seeks to provide for health and community uses on the subject and which also seeks to protect the architectural heritage of the city and also having regard to the existing pattern of development and the nature, form, scale and design of the proposed development, it is considered that, subject to compliance with the conditions set out below, the proposed development would not adversely affect the character of the surrounding streetscapes or the character and setting of any Protected Structures in the vicinity and would not seriously injure the visual or residential amenities of the area. The proposed development would, therefore, be in accordance with the proper planning and sustainable development of the area.

## 11.0 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 in accordance with the agreed particulars.

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

2. The terms and conditions of the permission attached to permission for the original development which was issued under register reference 2219/17 shall be fully complied with except where modified by this permission.

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

3. Details including samples of the materials, colours and textures of all the external finishes to the proposed buildings shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development.

**Reason:** In the interest of the visual amenities of the area.

4. No signage, advertising structures/advertisements, security shutters, or other projecting elements, including flagpoles, the exhibition or erection of which would otherwise constitute exempted development under the Planning and Development Regulations, 2001, or any statutory provision amending or replacing them, shall be displayed or erected on the building or within the curtilage of the site unless authorised by a further grant of planning permission.

**Reason:** In the interest of visual amenity.

5. Site development and building works shall be carried out between the hours of 0800 to 1900 Mondays to Fridays inclusive, between 0800 to 1400 on Saturdays and not at all on Sundays and public holidays. Deviation from these times will only be allowed in exceptional

circumstances where prior written approval has been received from the planning authority.

**Reason:** In order to safeguard the residential amenities of property in the vicinity.

6. A plan containing details for the management of waste (and in particular recyclable materials) within the development including the provision of facilities for storage, separation and collection of the waste and in particular recyclable materials for the on-going operation of these facilities shall be submitted to and agreed in writing with the planning authority prior to commencement of development. Thereafter the waste shall be managed in accordance with the agreed plan.

**Reason:** To provide the appropriate management of waste and in particular recyclable materials in the interest of protecting the environment.

7. Construction and demolition waste shall be managed in accordance with a construction waste and demolition management plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall be prepared in accordance with the “Best Practice Guidelines on the Preparation of Waste Management Plans for Construction and Demolition Projects”, published by the Department of the Environment, Heritage and Local Government in July 2006. The plan shall include details of waste to be generated during site clearance and construction phases, and details of the methods and locations to be employed for the prevention, minimisation, recovery and disposal of this material in accordance with the provision of the Waste Management Plan for the Region in which the site is situated.

**Reason:** In the interest of sustainable waste management.

8. The following transport and traffic management details shall be submitted to and agreed in writing with the planning authority prior to commencement of development.

(a) Details of the appointment of a contractor and a construction management transport plan. This plan shall provide details of the intended construction practice for development including traffic management, hours of working, noise management measures and off-site disposal of construction and demolition waste.

(b) Details of all cycle parking on the subject site.

(c) Details regarding the implementation of the measures outlined in the mobility management plan submitted with the application.

**Reason:** In the interest of orderly development.

9. The construction of the development shall be managed in accordance with a Construction Management Plan, which shall be submitted to, and agreed in writing with, the planning authority prior to commencement of development. This plan shall provide details of intended construction practice for the development, including:

(a) Measures to prevent the spillage or deposit of clay, rubble or other debris on the public road network;

(b) Alternative arrangements to be put in place for pedestrians and vehicles in the case of the closure of any public road or footpath during the course of site development works;

(c) Details of appropriate mitigation measures for noise, dust and vibration, and monitoring of such levels in the neighbouring residential area;

(d) Means to ensure that surface water run-off is controlled such that no silt or other pollutants enter local surface water sewers or drains.

A record of daily checks that the works are being undertaken in accordance with the Construction Management Plan shall be kept for inspection by the planning authority.



**Reason:** In the interest of amenities, public health and safety.

10. Prior to commencement of development, the developer shall lodge with the planning authority a cash deposit, a bond of an insurance company, or other security to secure the provision and satisfactory completion of roads, footpaths, watermains, drains, open space and other services required in connection with the development, coupled with an agreement empowering the local authority to apply such security or part thereof to the satisfactory completion of any part of the development. The form and amount of the security shall be as agreed between the planning authority and the developer or, in default of agreement, shall be referred to An Bord Pleanála for determination.

**Reason:** To ensure the satisfactory completion of the development.

11. 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. The contribution 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 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 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.

12. The developer shall pay to the planning authority a financial contribution in respect of the Luas Cross City scheme in accordance with the terms of the Supplementary Development Contribution Scheme made by the planning authority under section 49 of the Planning and Development Act 2000. The contribution 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 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 the Board to determine the proper application of the terms of the Scheme.

**Reason:** It is a requirement of the Planning and Development Act 2000 that a condition requiring a contribution in accordance with the Supplementary Development Contribution Scheme made under section 49 of the Act be applied to the permission.

---

Suzanne Kehely  
Senior Planning Inspector

11<sup>th</sup> March 2020