



An
Bord
Pleanála

Inspector's Report ABP-306749-20

Development

Proposed alterations to Tallaght Hospital Satellite Centre including revised alteration to red line boundary, revised car parking layout and modifications to elevations.

Location

Tallaght Hospital, Dublin 24.

Requester:

National Paediatric Hospital
Development Board

Planning Authority

South Dublin County Council

Date of Site Inspection

None required

Inspector

Una Crosse

1.0 Introduction

- 1.1. The requester was granted permission, under 29N.PA0043, for a new National Paediatric Hospital with the main hospital itself being located at the St. James's Hospital campus at James's Street in Dublin 8. Two satellite centres were also included one located at Blanchardstown Hospital and other at Tallaght Hospital.
- 1.2. A number of previous requests have made under Section 146B for amendments to both the main hospital at St James Hospital (Ref. 29S.PM0012 & ABP-304520-19) and to the Blanchardstown Hospital Satellite Centre (ABP-301694-18) details of which are outlined in the next section of this report.
- 1.3. The requester is now submitting this request to An Bord Pleanála, pursuant to section 146B of the Planning & Development Act 2000 (as amended), for further alterations to the terms of that permission as it relates to the Tallaght Hospital Satellite Centre.

2.0 Planning History

2.1. Parent Permission

Overall Development

Ref. 29N.PA0043: An Bord Pleanála granted a 10 year permission, subject to 17 conditions, for the development a new National Paediatric Hospital at the St. James's Hospital campus, associated Satellite Centres at Tallaght and Connolly Hospitals and a temporary construction compound at Davitt Road, Drimnagh comprising an integrated health infrastructure development with 6 principal elements and ancillary development as set out below:

(i) 473 bed new children's hospital (up to 118,113 sq.m gross floor area) at the St. James's Hospital Campus, James's Street, Dublin 8 (which contains Protected Structures);

(ii) 53 bed family accommodation unit (up to 4,354 sq.m gross floor area) at the St. James's Hospital Campus, James's Street, Dublin 8 (which contains Protected Structures);

(iii) children's research and innovation centre (up to 2,971 sq.m gross floor area) at the St. James's Hospital Campus, James's Street, Dublin 8 (which contains Protected Structures);

(iv) construction compound at the former Unilever site at Davitt Road, Drimnagh, Dublin 12;

(v) children's hospital satellite centre at The Adelaide & Meath Hospital Dublin (Tallaght Hospital), Belgard Square North, Tallaght, Dublin 24 (up to 4,466 sq.m gross floor area); and

(vi) children's hospital satellite centre at Connolly Hospital Campus in Blanchardstown, Dublin 15 (up to 5,093 sq.m gross floor area).

Permitted Development subject of this section 146B.

The development proposed and granted, subject to conditions, at the Adelaide & Meath Hospital Dublin (Tallaght Hospital) to which this Section 146B request refers, comprises the following:

- Construction of a three storey extension of up to 3,142 sq.m to the hospital and refurbishment works of up to 1,324 sq.m at ground floor level of the existing hospital building;
- New link corridor connecting the satellite centre into the existing hospital;
- Integration of existing garden to the west of the hospital entrance with the new development;
- Relocation of 25 visitor car parking bays to the south-east of the proposal and 2 delivery parking bays adjacent to the existing building;
- Five new cycle hoops and 10 existing relocated cycle hoops located to the west of the main entrance to the proposed building;
- New pedestrian access from the existing footpath along the hospital road to the east.
- New entrance canopy linking the main entrance to the existing drop off area adjacent to the canopy.

- Ancillary building and directional signage, landscaping, construction and site development works including minor alterations to the internal roads and footpaths and the demolition of the existing hospital crèche and staff changing facilities unit.

2.2. Section 146B

Main Hospital

Ref. 29S.PM0012 – It was determined by the Board that amendments to the permitted development at basement levels, referred to as B01 and B02, by reconfiguring the permitted plant areas, carrying out amendments to the basement parking layout and amend and alter the waste management and FM layouts at level B02 were not material. This was decided on 9 August 2017.

Ref. ABP-304520-19 – it was determined by the Board that amendments to the permitted development comprising alterations to internal floor areas, alterations to elevations and façade, alterations to roof plan and alteration to external landscaping were not material. This was decided on 12 August 2019.

Blanchardstown Satellite Centre

Ref. ABP-301694-18 – it was determined by the Board that amendments to the permitted development comprising alterations to the car parking, proposed generator, alterations to the drainage layout, and proposed sculpture were not material. This was decided on 19 July 2018.

3.0 Proposed Changes

The changes proposed as part of the subject 146B request are as follows:

3.1. Alteration to Red Line Boundary

- 3.1.1. It is proposed to extend the red line application boundary in order to facilitate other elements of the proposed alterations within this request. These alterations are considered necessary as part of the design development post planning. While the requester does not provide an exact area for the increased site area, it comprises a small area to the southeast of the application site. The engineering report refers to an area of 159m² and this would appear to reflect the scale of the increased area. A

revised site plan has been provided - Drawing No. TH-CPA-A-DR-00-Z0-0501 – which provides the revised red line boundary.

3.2. Alterations to Car Park Layout

3.2.1. The permitted development had 29 car parking spaces within the site. This request proposes to reduce the number to 26 spaces. I would note that the layout references spaces up to number '27' however number '17' is missing leaving a total of 26 spaces. The layout has been revised so that there is one access and one egress and a one way system through the parking area.

3.2.2. It is proposed that the internal hospital access road will also be utilised to provide access to the other proposed alterations within this request. It is stated that while there is a reduction in spaces this is necessary to facilitate the provision of the offloader extension which is also proposed as part of this request. The following drawings are relevant:

- TH-CPA-A-DR-00-Z0-0501
- TH-ROD-C-DR-XX-Z0-0050
- TH-ROD-C-DR-XX-Z0-0052

3.3. Proposed Generator/LV Switchroom Compound

3.3.1. The compound comprises an area of approximately 47 sq.m, 10.5 metres in length, and 4.475m in width. Within this area an enclosed switchroom is proposed over a third of the area with a height of 3.3m. The remainder of the area, which accommodates the fuel tank and generator, is open and is proposed to be enclosed by a palisade fence. It is proposed that the generator/LV switchroom compound is to be located to the south of the satellite centre and the revised car parking location within the extended red line boundary. It is stated that hospitals require an emergency electricity supply in the event of disruption to the mains supply to ensure the continued provision of essential services with a generator considered a normal part of a hospitals infrastructure. The location of the generator adjacent to approved services is considered the most efficient location for this. The following drawings are relevant:

- TH-CPA-A-DR-00-Z0-0502
- TH-ROD-C-DR-XX-Z0-0001
- TH-ROD-C-DR-XX-Z0-0050
- TH-ROD-C-DR-XX-Z0-0052
- TH-ETH-J-DR-ZZ-Z0-SS1002 (M&E)
- TH-ETH-J-DR-ZZ-Z0-SS1015 (M&E)
- TH-ETH-J-DR-ZZ-Z0-SS1014 (M&E)

3.4. **Proposed Offloader Extension**

3.4.1. It is stated that an offloader room is required as the existing host campus transformer has been increased in size from a 1MVA to a 1.6MVA transformer to power both sub-station 4 and the new satellite centre building. Given the space restrictions in the existing sub-station the offloader room is required in order to house a new Main LV Electrical Distribution Board. It is therefore an extension to the existing facility comprising an area of 18.6 sq.m 5.4 metres in length, 3.45 metres wide and c.3.75 metres in height. The structure is faced with brick to match the existing structure. The requester that this alteration to the terms of the permission is not considered material in nature as the need has arisen through detailed design post-planning. The following drawings are relevant:

- TH-CPA-A-DR-00-Z0-0503
- TH-ETH-J-DR-ZZ-Z0-SS1002 (M&E)
- TH-ETH-J-DR-ZZ-Z0-SS1014 (M&E)
- TH-ETH-J-DR-ZZ-Z0-SS1015 (M&E)

3.5. **Alterations to the Drainage Layout**

3.5.1. To facilitate the proposed alterations within this request it is proposed to alter the surface water drainage system to have regard to the new parking and road layout. An engineering report outlining the detail of same accompanies the request. It is outlined that the attenuation tank which was permitted has the necessary capacity to

facilitate the proposals to the amendment to the surface water drainage system. The following drawing is relevant:

- TH-ROD-C-DR-XX-Z0-0010

3.6. Proposed Dandelion Sculpture

- 3.6.1. The request states that a sculpture has been commissioned for both the Connolly, Blanchardstown and the subject Tallaght facility, to be located at the entrance to the permitted building in order to define the identity of the satellite centre and to improve the experience of those attending. The sculpture comprises a 6.75m high single stalk element with a curve culminating in a spherical sculpture head, 400mm in diameter with 42 prism stems. A concept impact of the sculpture is provided as figure 1 and drawing 39238-001.

3.7. Alterations to Elevations

- 3.7.1. The elevational changes include alterations to external balconies, curtain walling materials, soffits, the emergency department canopy and other minor physical modifications. The proposed modifications of the proposed building are proposed as follows:

North elevation

- 3.7.2. Section of curtain walling at the staircore removed to allow for addition of two windows on each floor. It is proposed that the façade will be rendered at this point.

South Elevation

- 3.7.3. Additional louvered door added at ground floor at entrance with marginal reduction in size of windows at this location.

- Drawing for both elevations - TH-CPA-A-DR-ZZ-Z1-0504

4.0 Requester's Submission

The requester's submission to the Board can be summarised as follows:

- The request solely relates to those aspects of the permitted development that are located at the Tallaght Satellite Centre.

- Previous Section 146B request for Connolly Hospital Satellite Centre (ref. ABP-301694-18) outlined which was not considered material with subject alterations similar to nature and extent of alterations permitted at Connolly.
- Planning context as set out in South Dublin County Development Plan 2016-2022 outlined which is stated supports the proposed alterations.
- ABP previously carried out AA of overall proposal under parent permission and found it would not adversely affect the integrity of any European site and maintained that proposed alterations within request would also not affect the integrity of any Natura 2000 site which has been previously assessed.
- Proposal to extend the red line application boundary required to facilitate the other elements of the proposed alterations within this request which are considered necessary as part of the design development post planning.
- Alterations to layout and reduction of car parking spaces improve the access and flow of vehicular traffic as well as emergency vehicles throughout the hospital site. It is proposed that the internal hospital access road will also be utilised to provide access to the other proposed alterations within this request. The requester considers this represents a marginal and de minimis change in the context of the overall hospital site.
- Generator/LV switchroom compound required as hospitals require an emergency electricity supply in the event of disruption to the mains supply to ensure the continued provision of essential services with a generator considered a normal part of a hospitals infrastructure. The location of the generator adjacent to approved services is considered the most efficient location for this.
- Offloader room required as the existing host campus transformer has been increased in size from a 1MVA to 1.6MVA transformer to power both sub-station 4 and the new satellite centre building. Given space restrictions in the existing sub-station the offloader room is required to house a new Main LV Electrical Distribution Board and the alteration is not considered material in nature as the need has arisen through detailed design post-planning.
- To facilitate the proposed alterations within this request it is proposed to alter the surface water drainage system with proposed alteration minor in nature and does not affect the operation of the proposal as permitted.

- A sculpture has been commissioned for both the Connolly and subject Tallaght facility, to be located at the entrance to the permitted building in order to define the identity of the satellite centre and improve the experience of those attending.
- Elevational changes to the north and south elevation are required as a result of the detailed process of refinement of the design while retaining same envelope.
- Submission outlines the Section 146B process and the issues the Board has had regard to in considering the materiality of alterations sought in previous cases including – materiality of the modification in context of development already permitted, whether modifications were purely technical or operational in nature, planning or environmental consequences resulting, impact on proper planning and sustainable development of the area and creation of new or additional planning or environmental issues other than those already assessed prior to original approval.
- Proposed alterations located in grounds of Tallaght Hospital and do not directly interface with public realm and separated/screened from adjoining landowners.
- Revised parking layout will not differ in location from permitted, will not be accessed differently or generate additional traffic movements.
- Proposed alterations will leave overall scale of scheme largely unchanged with decrease in car parking considered a design improvement as is sculpture.
- Pattern of development in the area defined by the hospital campus layout with proposals minor in nature when viewed in context of overall hospital campus.
- Decrease in number of car parking spaces proposed which in context of wider hospital site comprise a marginal change with no additional proposed use that could create additional traffic movements.
- Proposed alterations to drainage layout will not place a material additional burden on utilities and services above those envisaged by permitted development.
- Revised car parking expected to have a nett benefit on visual amenity of area.
- Considered description provided in public notices for parent permission continues to accurately reflect the scheme and had proposed alterations been included as part of original scheme description would not have been drafted any differently apart from marginal reduction in car parking and considered that given proposal,

including alterations, would continue to extensively accord with development description lends further to view that proposed alterations are not material.

- Consider open to ABP to decide that alterations are not material however, if ABP considers the alterations are “material”, in terms of the permitted development, the report sets out main environmental issues in relation to alterations with topics in original EIS reviewed in context of the alterations and demonstrate that proposal would not be such as to have any significant effects on the environment.
- If Board decide that proposed alterations are material, under provisions of Section 146B, they must also determine whether extent and character of alterations requested would be likely to have significant effects on the environment.
- Information outlined which it is considered is sufficient for Board to determine that proposed alterations would not be likely to have significant effects.
- The proposed alterations, relative to the overall permitted development, is not of a size significant enough in its own right to have any material impacts on the receiving environment provided that the mitigation measures set out in the original EIS are adhered to, as required by Condition 2 of the permission.
- Cumulatively the proposed alterations and overall project will not exceed those impacts set out and further significant effects are not expected.
- Proposed alterations located within ground of Campus and entirely within the site of permitted application which is not in an environmentally sensitive location.
- Each of the topics examined in the original EIS has been reviewed with respect to the proposed alteration.
- No changes to the impacts on Human Beings and not anticipated that proposed alterations will lead to a material increase in construction traffic and while decrease in number of car parking spaces and layout revised it is a design improvement on that permitted.
- No material change to soils and geology with significance of effect low;
- No change identified to impacts identified on hydrogeology and hydrology with significance of effect low and proposed alterations have no impact on flood risk.

- No identified impact on flora and fauna outside of those identified in original EIS.
- Proposed alterations not anticipated to result in an increased volume of material to be excavated at the site and requiring removal off-site as waste.
- Will not lead to an increase/significant increase in noise and vibration, air quality and climate or microclimate to that set out in original EIS.
- Proposed alterations does not alter the conclusions of the landscape and visual impact as set out in the original EIS.
- Proposed amendments do not affect any other areas of archaeological interest and continue to adhere to mitigation measures in EIS and does not affect any aspect of the assessment of architectural and cultural heritage as set out in the original EIS.
- Proposal results in additional 7m³ of water to be stored on site which the permitted attenuation tank on site has capacity to service with no material effect on environmental impact of proposal as originally assessed.
- Relative to impacts identified in original EIS over entire construction period, any additional interactions arising from proposed alterations considered imperceptible to slight.

5.0 Legislative Provisions

- 5.1. Section 146B of the Act provides for the alteration by the Board of a strategic infrastructure development in response to a request made of it. The Board should note that since the previous request for alterations under Section 146B on this SID permission that the European Union (Planning and Development) (Environmental Impact Assessment) Regulations 2018 (S.I. No. 296 of 2018) has provided for a number of amendments to Section 146B of the Act and these amendments are reflected in the following outline of the elements of the legislative provisions considered appropriate in the consideration of the subject request. Sections 146B(4)-(8) have not been outlined below.
- 5.2. Initially under the terms of section 146B(2)(a) the Board must decide as soon as practicable after the making of such a request, whether or not the making of a proposed alteration would constitute “*the making of a material alteration of the terms*”

of the development concerned”. Section 146B(2)(b) provides that “before making a decision under this subsection, the Board may invite submissions in relation to the matter to be made to it by such person or class of person as the Board considers appropriate (which class may comprise the public if, in the particular case, the Board determines that it shall do so); the Board shall have regard to any submissions made to it on foot of that invitation”.

- 5.3. Alteration not a material alteration - Section 146B(3)(a) states that “*if the Board decides that the making of the alteration would not constitute the making of a material alteration of the terms of the development concerned, it shall alter the planning permission, approval or other consent accordingly and notify the person who made the request under this section, and the planning authority or each planning authority for the area or areas concerned, of the alteration*”.
- 5.4. Alteration is a material alteration - Section 146B(3)(b) provides that if the Board decides that the making of the alteration would constitute the making of such a material alteration, it shall - “(i) by notice in writing served on the requester, require the requester to submit to the Board the information specified in Schedule 7A to the Planning and Development Regulations 2001 in respect of that alteration, or in respect of the alternative alteration being considered by it under subparagraph (ii)(II), unless the requester has already provided such information, or an environmental impact assessment report on such alteration or alternative alteration, as the case may be, to the Board, and
- (ii) following the receipt of such information or report, as the case may be, determine whether to —
- (I) make the alteration,
- (II) make an alteration of the terms of the development concerned, being an alteration that would be different from that to which the request relates (but which would not, in the opinion of the Board, represent, overall, a more significant change to the terms of the development than that which would be represented by the latter alteration), or
- (III) refuse to make the alteration”.
- 5.5. In respect of Section 146B(3)(b)(i), the Act states at subsection 3(A), (as amended by European Union (Planning and Development) (Environmental Impact

Assessment) Regulations 2018 (S.I. No. 296 of 2018)), that “*where the requester is submitting to the Board the information referred to in subsection (3)(b)(i) , that information shall be accompanied by any further relevant information on the characteristics of the alteration under consideration and its likely significant effects on the environment including, where relevant, information on how the available results of other relevant assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive have been taken into account*”. Subsection (3B) as amended by same, states that “*where the requester is submitting to the Board the information referred to in subsection (3)(b)(i) , that information may be accompanied by a description of the features, if any, of the alteration under consideration and the measures, if any, envisaged to avoid or prevent what might otherwise have been significant adverse effects on the environment of the alteration*”.

6.0 Assessment

6.1. Consideration of materiality

- 6.1.1. As indicated in the preceding section outlining the legislative provisions, the first consideration in relation to this request to alter the terms of PA0043 is to determine if the making of the alteration would constitute the making of a material alteration of the terms of the National Children’s Hospital development as granted. The requester has set out the proposed alterations under a series of headings and for ease of reference I intend to use these headings to consider the materiality of each proposed alteration and then conclude by addressing the overall proposal.

6.2. Alteration to Red line boundary

- 6.2.1. One of the proposed changes requested requires an amendment to the red line application boundary from that submitted under PA0043. The proposed generator/switchroom, proposed to the southeast of the site, will result in the site boundary being extended to facilitate their inclusion within the site boundary. In considering this matter I draw the Board’s attention to the Section 146B determination in respect of the Blanchardstown Satellite Centre (ABP-301694-18) where a similar alteration to the red line/application boundary was considered not to

be material. In coming to that recommendation, I note that the reporting inspector on that case referenced a previous decision made by the Board relating to a proposed alteration to the redevelopment of the Port of Cork facilities at Ringaskiddy, Co. Cork (Ref. PM0010). In respect of the subject request, having regard to the precedent set by the Board as outlined in respect of the Blanchardstown Satellite Centre, and in the interests of consistency, I would advise the Board that it is already established that an alteration to a previously approved scheme that entails an alteration to the original site boundary, can be facilitated under s.146B.

- 6.2.2. Therefore, I consider it reasonable to conclude that the proposed requested alterations to the red line application boundary subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.3. Alterations to Car Park Layout

- 6.3.1. As outlined in Section 3 above, the permitted development had 29 car parking spaces within the site separated with two separate parking areas and an area of landscaping. This request proposes to reduce the number to 26 spaces with the layout revised so that there is one access and one egress and a one way system through the parking area. The landscaping areas have also been revised. The parking area has also been divided into staff and public parking with 2 spaces specifically provided for disability parking. It is stated by the requester that the layout of the proposed car parking has been revised in order to improve the access and flow of vehicular traffic as well as emergency vehicles throughout the hospital site. It is proposed that the internal hospital access road will also be utilised to provide access to the other proposed alterations within this request. It is stated that while there is a reduction in spaces this is necessary to facilitate the provision of the offloader extension which is also proposed as part of this request. I would also note that the revisions to the layout provides for appropriate access to the switchroom compound. The requester considers that this represents a marginal and de minimis change in the context of the overall hospital site.
- 6.3.2. The alteration to the car parking arrangement does not result in any material change to the trip generation arising from the development, the number of spaces while

marginally reduced is not significantly reduced. The altered car parking does not result in adverse impacts on existing residential amenities in the wider area nor does it give rise to any new impacts above those previously assessed under PA0043 on any other landowner in the area. The revised circulation proposed within the area facilitates greater flow and creates defined areas for staff and public parking. The amendments to the landscaping proposed is not significant. I am of the opinion that the revision of the car parking as sought under this alteration is such that, had the car parking as now proposed been part of the original application documentation, An Bord Pleanála would have still granted permission for the development subject to the same conditions.

- 6.3.3. Therefore, I consider it reasonable to conclude that the proposed requested alterations to the car park layout subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.4. Proposed Generator/LV Switchroom Compound

- 6.4.1. It is proposed that a generator/LV switchroom compound is located to the south of the satellite centre and revised car parking location within the extended red line boundary. The rationale for this alteration is stated that hospitals require an emergency electricity supply in the event of disruption to the mains supply to ensure the continued provision of essential services with a generator considered a normal part of a hospital's infrastructure. The location of the generator adjacent to approved services is considered the most efficient location for this piece of infrastructure. I note that the permitted site layout plan submitted with this request does not outline any generator within the original proposal nor does the report submitted reference any previous proposal. While this element of the proposal is located within the revised red line application area, it is still within the hospital campus area. Given its location within the hospital campus, adjoining internal hospital roads and buffered from the public road by a wide landscaped buffer there are no materially different environmental impacts arising from those assessed under PA0043 in relation to this element of the alteration. I consider that had the original application contained the generator as now proposed in the alteration sought, the Board would have still granted permission subject to the same conditions.

6.4.2. Therefore, I consider it reasonable to conclude that the proposed requested generator/LV switchroom compound subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.5. Proposed Offloader Extension

- 6.5.1. It is stated that an offloader room is required as the existing host campus transformer has been increased in size from a 1MVA to 1.6MVA transformer to power both sub-station 4 and the new satellite centre building. Given space restrictions in the existing sub-station the offloader room is required in order to house a new Main LV Electrical Distribution Board. It is therefore an extension to the existing facility comprising an area of 18.6 sq.m 5.4 metres in length, 3.45 metres wide and 3.75 metres in height. The structure is faced with brick to match the existing structure. The requester considers that this alteration to the terms of the permission is not considered material in nature as the need has arisen through detailed design post-planning. I would also note that the request submitted includes, at Appendix III, a letter of consent from the Tallaght University Hospital facilitating the extension to their existing substation.
- 6.5.2. I note that rationale provided for this alteration in respect of the increase in size of the transformer within the existing substation and the space restrictions within the existing substation which requires a small extension to the existing facility to house the required infrastructure which I consider is a normal requirement of such a facility. The location of the offloader is contingent on the location of the existing substation and therefore is location specific and is effectively a small extension of an existing element of the hospital. Given its location within the hospital campus, adjoining the existing hospital infrastructure and buffered from the public road by a wide landscaped buffer there are no materially different environmental impacts arising from those as assessed under PA0043 in relation to this element of the alteration. I consider that had the original application contained the offloader as now proposed in the alteration sought, the Board would have still granted permission subject to the same conditions.
- 6.5.3. Therefore, I consider it reasonable to conclude that the proposed requested offloader extension subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.6. Alterations to the Drainage Layout

- 6.6.1. To facilitate the proposed alterations to the car parking layout and provision of switchroom/generator and offloader extension within this request it is proposed to alter the surface water drainage system. An 'Engineering Report', prepared by Roughan & O'Donovan, outlining the detail of same accompanies the request. The requester outlines that a new portion of the proposed surface water drainage system is proposed to serve the new site area and revisions to the car park area of the development which is detailed on the drawings which have been submitted. It is outlined that the attenuation tank which was permitted has the necessary capacity to facilitate the proposals to the amendment to the surface water drainage system. It is not proposed to make any alterations to this attenuation tank. It is stated that the total additional area that will contribute to the surface water drainage system is 159m² resulting in an additional 7m³ of water to be stored with the attenuation tank to be installed having a capacity of 200m³ with the site originally calculated to require 193m³ of storage. The requester states that the proposed alteration is minor in nature and does not affect the operation of the proposal as permitted.
- 6.6.2. I do not consider that the alterations to the surface water drainage proposals are material particularly as the alterations are necessary to complement the alterations proposed to the car park layout and internal road layout. The increase of 7 m³ in surface water attenuation capacity for the site is not, in my opinion, significant. There is no amendment to the location or design of the attenuation tank. This alteration would not have a materially different environmental impact to those originally assessed as part of the EIA process as carried out by the Board on PA0043. I am of the opinion that had the drainage proposals as now proposed been part of the original application, the Board would not have determined the application or the EIA differently. The alteration is of a technical nature and it is reasonable to suggest that such an alteration could be addressed by way of compliance with the relevant condition if the additional site area was not required.
- 6.6.3. Therefore, I consider it reasonable to conclude that the proposed requested alterations to the drainage layout subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.7. Proposed 'Dandelion' sculpture

- 6.7.1. The request states that a sculpture has been commissioned for both the Connolly, Blanchardstown and the subject Tallaght facility, to be located at the entrance to the permitted building in order to define the identity of the satellite centre and to improve the experience of those attending. The sculpture comprises a 6.75m high single stalk element with a curve culminating in a spherical sculpture head, 400mm in diameter with 42 prism stems. I consider that the sculpture will have a positive visual impact and act as an identifying feature for the facility. I would note that the requester has also commissioned this sculpture for the Connolly Hospital Centre which was considered not to be material as part of the Section 146B request determined by the Board under ABP-301694-18. Therefore, the Board has already established that an alteration to a previously approved scheme that entails the provision of the proposed sculpture, can be facilitated under s.146B
- 6.7.2. Therefore, I consider it reasonable to conclude that the proposed requested dandelion sculpture subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

6.8. Alterations to Elevations

- 6.8.1. The elevational changes include alterations to external balconies, curtain walling materials, soffits, the emergency department canopy and other minor physical modifications. The document submitted with the request states that in relation to the northern elevation that it is proposed to remove a section of curtain walling at the staircore to allow for the addition of two windows on each floor. It is proposed that the façade will be rendered at this point. While I note the changes proposed on the elevational drawings I note only one window in the revised elevation drawing on each floor at the location of the proposed alteration and a door on the ground floor. I would also note that other elements of this elevation are altered from the permitted drawing which the requester has submitted. Notwithstanding, I consider that the alterations proposed to the elevation are minor in their extent and I am of the opinion that had the elevations as now proposed been part of the original application, the Board would not have determined the application or the EIA differently.

- 6.8.2. In relation to the southern elevation, it is proposed to revise the ground floor fenestration of the southern elevation, amending the location of some windows and inserting additional louvered doors. There is also a marginal reduction in the size of windows at this location. I consider that the alterations proposed are minor in nature and I am of the opinion that had the elevations as now proposed been part of the original application, the Board would not have determined the application or the EIA differently.
- 6.8.3. Therefore, I consider it reasonable to conclude that the proposed requested alterations to the elevations subject of this request does not constitute the making of a material alteration of the development as granted under PA0043.

Conclusion

- 6.8.4. Having considered the proposed alterations requested and having considered the proposal as granted under PA0043, I consider that the Board would not have determined PA0043 differently had the site layout plans, elevations and engineering drawings as now proposed in the alterations formed part of PA0043 at that application stage. I consider it reasonable to conclude that the proposal subject of the request does not constitute the making of a material alteration of the development as granted under PA0043. Therefore I consider that the Board can determine under Section 146B(3)(a) that the making of the alteration would not constitute the making of a material alteration of the terms of the development concerned and in that it shall alter the planning permission, approval or other consent accordingly and notify the person who made the request under this section, and the planning authority or each planning authority for the area or areas concerned, of the alteration.
- 6.8.5. I have considered the provisions of s.146B(2)(b) which provides for, at the Board's discretion, the inviting of submissions from persons, including the public. Having considered: the nature, scale and extent of the alterations; the information on file; the nature, scale and extent of the development granted under PA0043, and the information on PA0043 including the submissions from the public and information obtained at the 10-day Oral Hearing, I am of the opinion that the inviting of submissions from the public in this instance is not necessary and is not required for the purposes of the Board determining the matter.

6.9. Environmental Impact Assessment

6.9.1. As I outline above, I consider that the proposed alterations do not constitute the making of a material alteration of the development concerned and in this regard the provisions of Section 146B(3)(a) apply. However if the Board are of the opinion that the proposed alterations would constitute a material alteration, the provisions of Section 146B(b) apply which require that the requester submit to the Board the information specified in Schedule 7A of the Planning and Development Regulations 2001 as amended unless the information has already been provided. Section 7 of the Report submitted with the request outlines the likely significant effects on the environment and outlines Schedule 7 of the Regulations and details the characteristics of the proposed alterations, the location of same and the characteristic of potential impacts of the alterations. It is concluded that the proposed alterations would not have any significant effects on the environment. I would concur with this opinion. I also note that the topics considered in the original EIS have been reviewed in Section 7 of the report and conclude that there would be no additional or increase in the impacts identified. I consider the requester's further review of the potential impact arising from the alterations proposed to be reasonable and robust.

6.10. Appropriate Assessment

6.10.1. As outlined in the previous Section 146B requests (Ref. 29S.PM0012, ABP-301694-18 & ABP-304520-19), under PA0043 the Board completed an Appropriate Assessment Screening exercise in relation to 17 Natura 2000 sites within a 15 km radius of the application site which resulted in 13 of the sites being screened out. The Board then undertook an Appropriate Assessment in relation to the effects of the development proposed under PA0043 on the 4 sites that were not screened out: 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). An NIS was prepared and submitted as part of the application in relation to PA0043. The Board concluded that the proposed development, by itself, or in combination with other plans or projects, would not be likely to adversely affect the integrity of

these European Sites in view of the sites' conservation objectives. The requester states that the Board previously carried out AA of the overall proposal under the parent permission and found it would not adversely affect the integrity of any European site and they maintain that the proposed alterations within request would also not affect the integrity of any Natura 2000 site which has been previously assessed. I consider that any potential pathways for impacts of the permitted hospital project have already been assessed under an Appropriate Assessment of that application and the proposed amendments do not give rise to any new or different issues or impact pathways that would now need to be assessed. It is considered that the possibility may be excluded that the proposed development will have significant effect on any European site.

- 6.10.2. Having considered the Board's determination on Appropriate Assessment on PA0043, section 3.1.26 of the Inspector's Report on PA0043; the nature, scale and extent of the alteration relative to the development subject of PA0043, and the information on file (which I consider adequate to carry out AA Screening), I consider it reasonable to conclude that the alterations proposed, individually or in combination with other plans or projects, would not be likely to have a significant effect on the European sites located within a 15 km radius in view of the sites' conservation objectives.

7.0 RECOMMENDATION

- 7.1. I recommend that the Board decides that the making of the alterations subject of this request do not constitute the making of a material alteration to the terms of the development as granted permission under 29N.PA0043.

(Draft Order for the Board's consideration provided below)

DRAFT ORDER

REQUEST received by An Bord Pleanála on the 27th day of February 2020 from the National Paediatric Hospital Development Board care of Avison Young, 2-4 Merrion Row, Dublin 2 under section 146B of the Planning and Development Act, 2000, as amended, to alter the terms of the National Paediatric Hospital, a strategic

infrastructure development the subject of a permission granted under An Bord Pleanála reference number 29S.PA0043.

WHEREAS the Board made a decision to grant permission, subject to conditions, for the above-mentioned development by order dated the 26th day of April, 2016,

AND WHEREAS the Board has received a request to alter the terms of the development, the subject of the permission,

AND WHEREAS the proposed alteration is described as follows:

- Alterations to the red line boundary;
- Alterations to the car park layout;
- Proposed Generator/LV switchroom compound;
- Proposed offloader extension;
- Alterations to Drainage Layout;
- Proposed Dandelion Sculpture;
- Alterations to northern and southern elevations.

AND WHEREAS the Board decided, in accordance with section 146B(2)(b) of the Planning and Development Act 2000, as amended, not to invite submissions or observations from the public in relation to whether the proposed alteration would constitute the making of a material alteration to the terms of the development concerned,

AND WHEREAS the Board decided, in accordance with section 146B(2)(a) of the Planning and Development Act 2000, as amended, that the proposed alteration would not result in a material alteration to the terms of the development, the subject of the permission,

AND WHEREAS having considered all of the documents on file and the Inspector's report, 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)(a) 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 27th day of February, 2020.

Una Crosse

Senior Planning Inspector

3rd April 2020