



An
Bord
Pleanála

Inspector's Report

ABP-317451-23

Development	Construction of extension to A & E Department
Location	Cork University Hospital, Bishopstown Road, Wilton, Cork
Planning Authority	Cork City Council
Planning Authority Reg. Ref.	2341901
Applicant(s)	Health Service Executive South.
Type of Application	Permission.
Planning Authority Decision	Grant, subject to conditions.
Type of Appeal	Third Party
Appellant(s)	Patrick Madden and Anne Rice.
Observer(s)	None.
Date of Site Inspection	17 th August 2023.
Inspector	Terence McLellan

1.0 Site Location and Description

- 1.1.1. The appeal site forms part of the Cork University Hospital campus, which is located off Bishopstown Road, Wilton, Cork. The appeal site itself refers to the area to the north and east of the existing Accident and Emergency Department, directly opposite the Glandore Centre, at the eastern end of the hospital campus adjacent to the boundary with Wilton Road. Hospital buildings in the immediate vicinity are generally two to three storeys in height. The area to the north, south, and west of the appeal site is part of the hospital campus with associated buildings and facilities. The area to the east of the appeal site includes internal hospital access roads, hospital car parking and the boundary with the rear garden ground of the dwellings on Wilton Road which are two storeys in height.

2.0 Proposed Development

- 2.1.1. Planning permission is sought for the erection of a two storey extension to the existing Accident and Emergency Department and the provision of a new plant room on the roof. The development includes alterations to the set down parking area of the Glandore Centre as well as the installation of an underground decontamination waste holding tank.

3.0 Planning Authority Decision

3.1. Decision

- 3.1.1. Notification of the Decision to Grant Permission was issued by Cork City Council on the 31st May 2023, subject to nine generally standard conditions including construction management, waste management, drainage, and development contributions.

3.2. Planning Authority Reports

- 3.2.1. The Planner's Report was issued on the 31st May 2023 and sets out the Planning Authority's assessment of the proposed development in addition to consideration of third party responses. The Planning Authority note that Cork University Hospital (CUH) has been designated as a Major Trauma Unit under the Government's National

Trauma Strategy and that the extension is required in order to provide an additional CT scanner to align with this designation and to improve patient outcomes.

3.2.2. The report states that the existing decontamination unit would be relocated to the new extension and that the transport amendments to the set down area/ambulance entrance would not result in any additional traffic or noise. The Planning Authority do not consider the scale or design of the extension to be excessive or inconsistent and do not consider that there is any evidence that the development would generate any significant adverse noise impacts. Permission was therefore granted, subject to relevant conditions.

3.2.3. **Other Technical Reports**

3.2.4. **Contributions (18/05/2023):** No objection subject to conditions to secure development contributions.

3.2.5. **Drainage (17/05/2023):** No objection subject to conditions. The relevant conditions relate to drainage layout and the provision of separate storm and foul drainage.

3.2.6. **Environment (19/04/2023):** No objection subject to conditions. The relevant conditions relate to construction waste, construction management, noise, environmental impacts, and general waste management.

3.2.7. **Urban Roads and Street Design (22/05/2023):** No comments.

3.3. **Prescribed Bodies**

3.3.1. **Cork Airport (28.05.2023):** No comments but recommend that the Irish Aviation Authority and AirNav Ireland are consulted.

3.3.2. **Irish Aviation Authority (29.05.2023):** Advise that the applicant should engage with the HSE to undertake a preliminary screening assessment to confirm that the proposed development and associated cranes used during its construction would not have an impact on safe helicopter operations in the vicinity of the hospital.

3.3.3. **Irish Water (10/05/2023):** No objection subject to standard advisory notes.

3.4. **Third Party Observations**

3.4.1. A total of 3 observations were made on the planning application by:

- Patrick Madden and Anne Rice of Daragh House, Wilton Road, Cork, (the appellants).
- Creagh Family of Lugano, Wilton, Cork.
- Helena Day and Gary Keane of 4 Congress Place, Wilton Road, Cork.

3.4.2. The points made in the observations are similar to the grounds of appeal which are set out in detail in section 6.1 below.

4.0 Planning History

4.1.1. There is an extensive planning history for the hospital site. The most relevant application is detailed below, which relates to the parent permission for the adjacent Glandore Centre.

4.1.2. **Planning Authority Ref. TP14/36198:** Permission was granted by Cork City Council in July 2015 for the demolition of the existing adult mental health building and construction of a three storey radiation oncology centre (8,848sqm) and continued use of the existing pedestrian link connecting the proposed building to the PET CT building to the south.

5.0 Policy Context

5.1. Development Plan

Cork City Development Plan 2022-2028

5.1.1. The appeal site is zone ZO13: Institutions and Community, the stated objective of which is to provide for and protect institutional and community uses. This zone generally applies to large educational, healthcare and other institutions and community facilities. These are generally locally or nationally important, long-established uses with a variety of characteristics and built forms, and they play an important role in providing key strategic services for communities across the City and often much further afield.

5.1.2. In many cases these lands and facilities are located in suburban areas and / or adjacent to residential uses. Development in this zone, particularly where adjacent to existing residential uses, shall have regard to impacts on residential amenities.

However, some uses such as hospitals have specific operational requirements and realities, for example out of hours traffic movements and sirens from emergency vehicles, and where these uses are considered essential their functional operation will be supported.

5.1.3. Chapter 3 of the CDP sets out the policies for achieving Strategic Objective 2, Delivering Homes and Communities, with the aim of delivering housing and creating and maintaining sustainable neighbourhoods and the community infrastructure needed to ensure that diverse communities all benefit from a good quality of life. The relevant objectives of this chapter are:

- Objective 3.27: Healthcare Infrastructure, seeks to support the sustainable provision and expansion of hospitals and other healthcare facilities within the city, including the provision of primary care centres and other specialist facilities at suitable locations, subject to proper planning and sustainable development considerations.

5.1.4. Chapter 11 includes the policies aimed at delivering Strategic Objective 9, Placemaking and Managing Development. This chapter sets out the Council's guidance and priorities for development proposals. Of primary importance is securing development of the highest architectural and urban design quality that is people-centric and resilient to climate change and other challenges. The relevant objectives and sections of this chapter are:

- Objective 11.4: Daylight, Sunlight and Overshadowing
- Section 11.159: Community Facilities
- Section 11.172: Medical Related Practices

5.2. Natural Heritage Designations

5.2.1. None relevant.

5.3. EIA Screening

5.3.1. See completed Form 2 on file. Having regard to the nature, size and location of the proposed development and to the criteria set out in Schedule 7 of the Regulations I have concluded at preliminary examination that there is no real likelihood of significant

effects on the environment arising from the proposed development. EIA, therefore, is not required.

6.0 The Appeal

6.1. Grounds of Appeal

6.1.1. A third party appeal has been lodged by Patrick Madden and Anne Rice of Daragh House, Wilton Road, Cork, against the decision of Cork City Council to grant planning permission for the proposed development. The grounds of appeal are as follows:

- The development would lead to increased parking congestion.
- There would be an impact on neighbouring properties as a result of the proximity, scale and size of the proposed buildings leading to a visual impact, loss of light, overbearing, noise disturbance, overlooking and damage to property.
- There would be an increase in hazardous waste.
- The CUH site is overdeveloped, and piecemeal development is unacceptable and continues.
- The development is larger than it needs to be, the first floor is shell and core with no end use specified and does not need to be constructed.
- There are concerns regarding the provision of a new decontamination room including concerns regarding the storage of waste, additional referrals and helicopter flights.
- The amended road layout is too narrow to accommodate an ambulance and waste collection vehicles.
- The drop off facilities for cancer patients is compromised.
- The application states that there would be no increase in staffing, and it is unbelievable that an additional CT scanner and decontamination room will not require additional staff.
- The construction work would have impacts on residents including in terms of traffic disruption, noise, and vibration.
- There are untruths regarding staffing implications and the creation of unapproved servicing areas.

- Conditions outlined in the permission have already been breached.
- There has been a complete failure to communicate with residents.
- No assessment of the risk to adjacent properties has been undertaken including impacts on foundations and subsidence.

6.2. Applicant Response

6.2.1. A response to the third party appeal has been prepared by HW Planning of 5 Joyce House, Barrack Square, Ballincollig, Cork on behalf of the applicant, the Health Service Executive – South. The response is summarised as follows:

- Cork University Hospital is the designated Major Trauma Centre for the south of Ireland, with the only other Major Trauma Centre being located in Dublin.
- Major Trauma Centre designation is contingent on there being a CT scanner in the Emergency Department.
- Close localisation of a CT scanner to the resuscitation beds of the Emergency Department is well reported in terms of patient survival.
- The CT scanner in the Emergency Department will improve inpatient diagnostic capacity flow within the hospital, hastening discharges, increasing in house bed capacity, and decreasing the duration of time a patient spends on a trolley in the Emergency Department.
- The decontamination room and holding tank will provide the appropriate facilities for the decontamination of patients who may have suffered chemical or radiation exposure and will allow for direct admission to prevent cross contamination in the Emergency Department.
- A decontamination room is uncommonly used but a critical facility in the Emergency Department and necessary to retain the trauma centre designation.
- Waste from the holding tank would be tested prior to release or removed by a certified hazardous waste removal company.
- The proposal is of a design and layout that respects the amenities of the appellants dwelling and is compliant with the policies and objectives of the CDP.

- The separation distance is in excess of 45 metres. The development has been designed so as not to impact on daylight and sunlight.
- The proposal is a small scale extension which has been designed to a high standard and to minimise amenity impacts.
- In terms of piecemeal development, the HSE upgrade and develop their facilities as funding becomes available and, in many cases, these works require planning permission.

6.3. **Planning Authority Response**

6.3.1. No response.

6.4. **Observations**

6.4.1. None.

7.0 **Assessment**

7.1.1. Having examined the application details and all other documentation on file, including all of the submissions received in relation to the appeal, and inspected the site, and having regard to relevant local/regional/national policies and guidance, I consider that the main issues in this appeal are as follows:

- Design and Amenity
- Parking and Transport
- Other Matters
- Appropriate Assessment

7.2. **Design and Amenity**

7.2.1. The grounds of appeal state that proximity, scale, and size of the proposed building would be overbearing and would have an adverse impact on nearby dwellings in terms of a loss of visual amenity, loss of light, overlooking, noise disturbance, and damage to property.

7.2.2. The proposal is for an extension to the existing Accident and Emergency Department in order to accommodate a new CT scanner and a relocated decontamination room in

order to support Cork University Hospital's designation as a Major Trauma Centre. The proposed extension would be located to the north and east of the current A&E Department, directly opposite the entrance to the Glandore Centre, and would have a maximum floorspace provision of approximately 439sqm over two floors. The maximum height of the extension above ground would be nine metres (12.6 metres to the top of the rooftop plant room). The maximum eastwards projection of the proposed extension from the existing façade of the A&E Department would be 5.75 metres. The separation distance between the proposed hospital extension and the boundary of the nearest residential property is 31 metres. The distance from the proposed extension to the nearest residential façade is in excess of 40 metres.

- 7.2.3. Given the limited height of the hospital extension and the separation distance from the nearest dwelling, I am satisfied that there would be no adverse amenity impacts in terms of a loss of daylight/sunlight, overlooking, loss of privacy, or damage to property. The proposed extension has been designed to contextualise with the existing building and taken together with its location and its limited scale, I am satisfied that the development would not be overbearing in nature, nor would it have any adverse impact on visual amenity.
- 7.2.4. I note the concerns raised by the appellants regarding the decontamination room including concerns regarding the storage of waste, additional referrals and helicopter flights. The application includes provision for an underground storage tank to store waste collected from the decontamination room. It is important to note that the proposal appears to be for a relocation and improvement of the existing decontamination room rather than an additional decontamination facility or an increase in operating capacity. The decontamination room is a necessary requirement for the hospital given its designation as a Major Trauma Centre and the waste holding tank would not be connected to the main sewer network. Instead, the holding tank would be suitably maintained and serviced by specialist contractors and its contents removed from the hospital site and treated/disposed of in line with the relevant waste regulations and legislation.
- 7.2.5. The grounds of appeal consider the Cork University Hospital site to be overdeveloped, that the extension is larger than it needs to be, and that continued piecemeal development (such as the proposal) is unacceptable. I consider that the limited size of the extension is such that it would not represent or contribute to overdevelopment, and

I acknowledge that hospitals are required to constantly evolve due to the changing needs of the communities they serve. As such, I do not consider the form and nature of the development to be harmful.

- 7.2.6. In terms of disruption during construction, I appreciate that this can cause disturbance to adjoining occupiers in terms of traffic, noise and in some cases vibrations. However, the level of disruption associated with a small scale extension such as that proposed would be unlikely to have any significant amenity impacts and I am satisfied that suitable conditions can be applied to the permission to mitigate the potential for disturbance, both during the temporary construction period and when the new extension is operational.

7.3. Parking and Transport

- 7.3.1. Several transport related concerns have been raised in the grounds of appeal, namely that the development would result in an increase in parking congestion, that it would compromise drop off facilities for cancer patients, and that the amended road layout is too narrow to accommodate ambulances and waste collection vehicles.
- 7.3.2. The submission documents include swept path diagrams for the amended road layout at the A&E Department. I am satisfied that these demonstrate that appropriate and acceptable access for ambulances would be maintained, both to the A&E Department and to the Glandore Centre. The set down facilities for the Glandore Centre would be maintained, with only minor amendments to the access roundel being proposed.
- 7.3.3. I note the concerns regarding parking congestion and that the development would require additional staff. The proposed extension is limited in size, with the primary aim of accommodating a CT scanner, in addition to a relocated and improved decontamination room. From the information available, conclusions cannot be drawn that there would be an increase in the capacity of the A&E department or that staffing levels would need to increase to a level that would result in additional parking pressures and congestion. I am of the view that the development would not have any significant adverse transport or traffic impacts.

7.4. Other Matters

- 7.4.1. Various concerns have been raised in the grounds of appeal regarding unauthorised development taking place and the potential breach of planning conditions. It should

be noted that enforcement is a matter for the Planning Authority and that the Board has no function with regard to planning enforcement or compliance with conditions.

- 7.4.2. The appellants argue that no assessment of the risk to adjacent properties has been undertaken including impacts on foundations and subsidence. Given the limited size of the development and the significant separation distances involved, it is unlikely that there would be any adverse impacts in terms of construction. In any event, structural issues as a result of construction works on a neighbouring site are a civil matter to be resolved between the parties, having regard to the provisions of s.34(13) of the 2000 Planning and Development Act.

7.5. Appropriate Assessment

- 7.5.1. Having regard to the nature of the development, its location in a serviced urban area, and the separation distance to any European site, it is concluded that no appropriate assessment issues arise as the proposed development would not be likely to have a significant effect individually or in combination with other plans or projects on a European site.

8.0 Recommendation

- 8.1. From my assessment above, I consider that the Board should uphold the decision of Cork City Council and grant planning permission for the proposed development, subject to conditions, based on the reasons and considerations set out below.

9.0 Reasons and Considerations

- 9.1. Having regard to the Z013 zoning objective relating to the site and the nature and extent of the proposed development, it is considered that the proposal, subject to the conditions set out below, would not seriously injure the amenities of the area or property in the vicinity, would not be prejudicial to public health or the environment and would generally be acceptable in terms of design and traffic safety.

10.0 Conditions

1.	<p>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.</p> <p>Reason: In the interest of clarity.</p>
2.	<p>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 hours of working, noise management measures and off-site disposal of construction/demolition waste.</p> <p>Reason: In the interests of public safety and residential amenity.</p>
3.	<p>Water supply and drainage arrangements, including the attenuation and disposal of surface water and run off rates, shall comply with the requirements of the planning authority for such works and services.</p> <p>Reason: In the interest of public health.</p>
4.	<p>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</p>

	<p>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.</p> <p>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.</p>
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I confirm that this report represents my professional planning assessment, judgement and opinion on the matter assigned to me and that no person has influenced or sought to influence, directly or indirectly, the exercise of my professional judgement in an improper or inappropriate way.

Terence McLellan

Senior Planning Inspector

26th October 2023

Appendix 1 - Form 1

EIA Pre-Screening

[EIAR not submitted]

An Bord Pleanála Case Reference	ABP-317451-23		
Proposed Development Summary	Construction of extension to A & E Department		
Development Address	Cork University Hospital, Bishopstown Road, Wilton, Cork		
1. Does the proposed development come within the definition of a 'project' for the purposes of EIA? (that is involving construction works, demolition, or interventions in the natural surroundings)		Yes	X
		No	No further action required
2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) or does it equal or exceed any relevant quantity, area or limit where specified for that class?			
Yes			EIA Mandatory EIAR required
No	X		Proceed to Q.3
3. Is the proposed development of a class specified in Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) but does not equal or exceed a relevant quantity, area or other limit specified [sub-threshold development]?			
		Threshold	Comment (if relevant)
		N/A	Conclusion
No			No EIAR or Preliminary Examination required
Yes	X	10(b)(iv) Threshold >10 hectares.	Proceed to Q.4

4. Has Schedule 7A information been submitted?

No	<input checked="" type="checkbox"/>	Preliminary Examination required
Yes	<input type="checkbox"/>	Screening Determination required

Inspector: _____

Date: _____

Appendix 2

Form 2

EIA Preliminary Examination

An Bord Pleanála Case Reference	ABP-317451-23	
Proposed Development Summary	Construction of extension to A & E Department	
Development Address	Cork University Hospital, Bishopstown Road, Wilton, Cork	
<p>The Board carries out a preliminary examination [Ref. Art. 109(2)(a), Planning and Development Regulations 2001 (as amended)] of, at least, the nature, size or location of the proposed development having regard to the criteria set out in Schedule 7 of the Regulations.</p>		
	Examination	Yes/No/ Uncertain
<p>Nature of the Development</p> <p>Is the nature of the proposed development exceptional in the context of the existing environment?</p> <p>Will the development result in the production of any significant waste, emissions or pollutants?</p>	<p>The proposed development is for an extension to the A&E department within the existing hospital campus, with medical/hospital being the predominant land use.</p> <p>There would be emissions during the construction period however these are typical for construction projects and would be managed by condition. The decontamination room would be used infrequently, and waste generate would be removed from the site by a specialist contractor in line with the relevant guidelines and legislation. The development would therefore not result in the production of any significant waste, emissions or pollutants.</p>	No.

<p>Size of the Development Is the size of the proposed development exceptional in the context of the existing environment?</p> <p>Are there significant cumulative considerations having regard to other existing and/or permitted projects?</p>	<p>The development would be consistent with the heights of the surrounding hospital buildings and would not be exceptional in scale in the context of the existing environment.</p> <p>There would be no significant cumulative considerations with regards to existing and permitted projects/developments. Surrounding hospital developments have been completed.</p>	No.
<p>Location of the Development Is the proposed development located on, in, adjoining or does it have the potential to significantly impact on an ecologically sensitive site or location?</p> <p>Does the proposed development have the potential to significantly affect other significant environmental sensitivities in the area?</p>	<p>The development would be located in a built up, serviced urban area and would not have the potential to significantly impact on an ecologically sensitive site or location.</p> <p>Given the nature of the development and the site/surroundings, it would not have the potential to significantly affect other significant environmental sensitivities in the area.</p>	No.
Conclusion		

<p>There is no real likelihood of significant effects on the environment.</p> <p>EIA not required.</p>		
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Inspector: _____

Date: _____