



An  
Bord  
Pleanála

## Inspector's Report

### ABP-321424-24

#### Development

Proposed alterations to the terms of the permitted development granted under reference number PL29S.PA0043.

#### Location

St. James's Campus, James's Street, Dublin 8

#### Planning Authority

Dublin City Council

#### Requester

National Children's Hospital  
Development Board (NPHDB)

#### Type of Application

Application under Section 146B of the Planning and Development Act, 2000 (as amended) to alter previously approved Strategic Infrastructure Development.

#### Inspector

Una Crosse

#### Date of site inspection

None required

## **1. Introduction**

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 with Satellite Centres at Connolly Hospital and Tallaght Hospital.

A number of previous requests have been made under Section 146B (Ref. 29S.PM0012, ABP-304520-19, ABP-310446-21 & ABP-314872-21) which sought to amend the permitted development at the St James hospital site. These were determined by the Board on 15 September 2017, 12 August 2019, 4 August 2021 & 9 June 2023, respectively, not to comprise a material alteration. As outlined below, a number of other Section 146B applications have been made in respect of the Satellite Centres at Connolly Hospital and Tallaght Hospital which were also approved by the parent permission.

The requester is now submitting this request, received by An Bord Pleanála on 11 December 2024, pursuant to section 146B of the Planning & Development Act 2000 (as amended), for further alterations to the terms of that permission.

It is outlined that the changes proposed as part of the subject request relate solely to landscaping and a number of minor elevations changes to the building.

## **2. Legislative Provisions**

Section 146B(1) of the Planning and Development Act 2000 (as amended) (the Act), provides that, subject to subsections (2) to (8) and to section 146C, upon request of any person who is carrying out or intending to carry out a strategic infrastructure development, the Board may alter the terms of the development the subject of planning permission, approval or other consent granted.

Under sub-section 2(a), as soon as practicable after making such a request, the Board is required to make a decision as to whether the making of the development would constitute a material alteration to the development concerned.

Under sub-section (2)(b), before making its decision under sub-section 146B (2), the Board may invite submissions as it considers appropriate and is required to have regard to any submission made to it on foot of the invitation.

Under sub-section (3)(a), if the Board decide that the making of the alteration would not constitute a material alteration, it is required to alter the planning permission/approval/consent accordingly and to notify the requester and the planning authority of the alteration.

Under subsection (3)(b), if the Board decide that the making of the alteration would constitute the making of a material alteration, the Board is required to:

- Request the information specified in Schedule 7A, unless it or an EIAR has already been provided by the requester (sub-section (3)(b)(i)). This information is required to be accompanied by any further relevant information on the characteristics of the alteration and its likely significant effects on the environment including, where relevant, how environmental effects pertaining to EU legislation other than the EIA Directive have been taken into account (sub-section (3A)) and can include mitigation measures (sub-section (3B)).
- Following receipt of such information, determine whether to make the alteration, make an alteration of the terms of the development which differs from the proposed alteration (subject to it not representing a more significant alteration), or refuse to make the alteration (sub-section (3)(b)(ii)).

Under subsection (4), before making a determination under sub-section (3)(b)(ii), the Board is required to determine whether the extent and character of the alteration being requested, or being considered by the Board, would be likely to have significant effects on the environment.

Under subsection (5), if the Board determine that no significant environmental effects will arise, they proceed to make a determination under subsection (3)(b)(ii). If the Board determines that significant effects will arise, the provisions of section 146C apply. These provisions relate to the preparation of an environmental impact assessment report.

Under subsection (7)(a), in making their determination, the Board is required to have regard to:

- The criteria for the purposes of determining which classes of development are likely to have significant effects on the environment set out in any regulations made under section 176,
- The criteria set out in Schedule 7 to the Planning and Development Regulations 2001,
- The Schedule 7A submitted by the requester,
- The further relevant information, if any, referred to in subsection (3A) and the description, if any, referred to in subsection (3B) (summarised above),
- The available results, where relevant, of preliminary verifications or assessments of the effects on the environment carried out pursuant to European Union legislation other than the Environmental Impact Assessment Directive, and
- Whether the development is situated in or would have potential to impact on a European site, or a recognised or protected area of natural heritage,

Under subsection (7)(b), the Board is required to include in its determination, the main reasons and considerations, with reference to the relevant criteria listed in Schedule 7 to the Planning and Development Regulations 2001, on which the determination is based.

Under subsection (8)(a) before making a determination under subsection (3)(b)(ii) or (4) the Board is required to require the requester to make information about the alteration available for inspection, notify appropriate persons that the information is available and invite submissions or observations from these persons. Further under subsection 8(b) the Board is required to have regard to these submissions in its determination.

### **3. Planning History**

#### **3.1 Parent Permission**

**Ref. 29N.PA0043:** An Bord Pleanála granted permission on 26 April 2016, subject to 17 no. 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.

A 10 year permission was granted for the development of the proposed new National Paediatric Hospital, comprising an integrated health infrastructure development with 6 principal elements and ancillary development as set out below:

(i) a 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) a 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) a 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) a construction compound at the former Unilever site at Davitt Road, Drimnagh, Dublin 12.

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

- The development proposed and granted, subject to conditions, at the St. James's Hospital campus to which this Section 146B request refers, comprises the following:
- The demolition of all buildings on the site of the new children's hospital, Family Accommodation Unit and the proposed Children's Research and Innovation Centre;
- A new children's hospital building and associated helipad;
- A two-level underground car park under same, with a further level of shared facilities management hub and energy centre below;
- A Children's Research and Innovation Centre;
- A Family Accommodation Unit;

- Public realm improvements to: the existing St James's campus spine road and the demolition of 2 no. buildings and relocation of parking to accommodate same; the linear park at the Rialto Luas stop and the public steps between Mount Brown and Cameron Square;
- Improvements to the road junction at the existing campus entrance on St James's Street and a new campus entrance piazza from Brookfield Road / South Circular Road, with minor improvements to these roads;
- A new vehicular entrance from Mount Brown;
- A realigned internal campus road;
- A new shared flue stack for the St. James's Hospital campus; and,
- A range of infrastructure works, including the diversion of the existing Drimnagh Sewer and revised boundary treatments.

### **3.2 Permitted Section 146B Applications on the St. James Hospital Site**

**ABP-314872-22** – It was determined by the Board on 9 June 2023 that amendments to the permitted development in respect of changes to the family accommodation unit including alteration to finishes, alteration to elevations and façade, requirement for substation and air handling equipment, alteration to roof plan, omission of sedum roof and photovoltaics, extended kitchen layout, fire lobbies at basement car park and minor internal alterations.

**ABP-310446-21** - It was determined by the Board on 4 August 2021 that amendments to the permitted development in respect of alterations to landscape design, artwork, Rialto entrance plaza, main entrance plaza, FM tunnel, new moat bridge, helipad, emergency department canopy and traffic management were not material.

**ABP-304520-19** - It was determined by the Board on 12 August 2019 that amendments to the permitted development in respect of alterations to internal floor areas, elevations and façade, roof plan and external landscaping were not material.

**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.

### **3.3 Satellite Centres at Connolly and Tallaght Hospitals**

It should be noted that a number of Section 146B applications have been made in respect of the parent permission which relate to the Connolly (ABP-301694-18) and Tallaght (ABP-306749-20) Satellite Centres.

## **4. Scope of Request**

### **4.1 Proposed Amendments**

The applicant is seeking to alter the terms of the development, subject of the permission granted under PL29S.PA0043 in respect of landscaping amendments and elevations changes and window treatments which are summarised as follows:

#### **Landscaping Amendments**

- Changes to landscaping at South-West corner connection to James's Walk Linear Park adjacent to Rialto Luas stop to provide fire tender access;
- Continuation of "MISA campus fence style" along boundary with James's Walk Linear Park to provide continuity of treatment
- Changes to landscaping at Cameron Square Interface on main access road to allow for fire tender access and turning movements;
- Changes to interface with St James's Hospital Energy Centre to allow vehicular access;
- Amendments to storm drainage surrounding Energy Centre and access road interface;
- Changes and amendments to surface treatment of interface between entry plaza and access road;
- Amendments to winter garden layouts within Children's Hospital to remove water features, and expand platers and seating arrangements.

#### **Elevation Changes and Window Treatments**

##### **West Elevation**

- Reduction in height of non-dimensioned balcony soffit by 160mm;
- Change to glass opacity not previously tagged;
- Local alterations to Mullion spacing;
- Reduction in height of non-dimensioned entrance soffit by 450mm;
- Increase in non-dimensioned intermediate coping height by 685mm;
- Reduction in height of non-dimensioned balcony soffits by 200mm;

#### West & East elevation

- Helipad – Reduced and revised cladding detail;

#### Northeast Elevation

- Increase in non-dimensioned intermediate coping height by 510mm;

#### East Elevation

- Extent of decorative perforated panels extended in lieu of louvres;

#### South Elevation

- One window omitted on return elevation to south entrance;
- Internal courtyard elevation of Fingers 4, 5 & 6 – reduction in height of non-dimensioned Courtyard soffit by 515mm which is not visible externally from the street.

### **4.2 Summary of Case**

- Planning policy context set out.
- Works are di-minimus in nature, not a material change and do not require an update to the AA Screening.
- Normal for a project of the scale and complexity of the subject development to go through design development and require refinement post planning in response to evolving operational requirements, internal environmental requirements, compliance with building regulations and co-ordination with stakeholders regarding emergency requirements.
- Refinement can lead to changes being required to the permitted development.
- Changes proposed are maintained within the original envelope of the permitted development.



- Range of changes in dimensions and siting are generally so minute as to be imperceptible at a distance when viewed from street level.
- Alterations are confined to the layout of the landscape design, hard standing areas for emergency ingress/egress, designation of landscaped areas and fencing/walls related to ancillary functions shared with the co-located St James's Hospital.

### **4.3 Documentation Received**

The request was accompanied by the following documents:

- Application Form and Planning Report
- Landscape Planning Design Summary Report
- Façade – Planning Resubmission Elevations
- Drawing NPH-L-BDP-PL-00-ST-9002

## **5. Public Consultation**

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 may comprise the public if, in the particular case, the Board determines that it shall do so. Having reviewed the nature of the amendments proposed in the subject request, which as I outline below are of a very minor nature, their location within the campus itself removed from the external boundaries of the site, I do not consider that it is necessary to invoke the provisions under s.146B(2)(b) relating to the seeking of submissions.

## **6. Assessment**

### **6.1 Consideration of Materiality**

There are two principle elements to the proposed alteration request. The first is the proposed alterations to the landscaping design to facilitate access and turning areas for fire tenders. The changes are set out in the documentation received and are highlighted in the report entitled Landscape Planning Design Summary submitted with the request. They comprise changes to landscaping elements at interfaces in the main. The amendments both of themselves and cumulatively are not material. They are very minor changes to the landscape design and layout which are necessitated by building regulations. Such minor changes are to be expected on a development of the scale of the subject development.

The other element of the proposed alterations relates to changes to the elevation of the building. These include reducing balcony heights, changing glazing type, slight changes to mullion spacing, changes to soffit and coping heights and cladding detail. They are detailed on the drawings provided. Having regard to the proposed individual changes, I would note that they are largely imperceptible when viewed on the fenestration. In addition, when considered cumulatively across the elevations, the alterations would not be such as to change the design of the fenestration in any material way with the approved fenestration arrangement remaining largely unchanged.

I would therefore recommend that the alterations proposed are not material.

## **6.2 The Potential for Significant Environmental Effects**

The application subject of the parent permission was submitted under the provisions of Section 37E and therefore an EIS (at time of application) was mandatory.

There is no real likelihood of significant effects on the environment based on the characteristics and location of the proposed development and the types and characteristics of potential impacts. An EIAR is therefore not required. Refer to Form 1 and Form 2 in Appendix 1 of this report.

## **6.3 Appropriate Assessment - Screening**

The parent permission for the subject development, PL29S.PA0043, was subject to Appropriate Assessment Screening or Appropriate Assessment (Stage 1 and Stage 2). Having regard to the nature and scale of the proposed alterations and the

distance from the nearest European site, no Appropriate Assessment issues arise, and it is not considered that the subject alterations would be likely to have a significant effect, individually, or in combination with other plans or projects, on a European site.

## **7. Recommendation**

I recommend that the Board decides that:

(a) the making of the alterations subject of this request do not constitute the making of a material alteration of the terms of the development as approved under PL29S.PA0043, and

(b) the proposed modifications will not give rise to significant environmental effects or significant effects on the integrity of any European site, for the reasons stated below.

## **DRAFT ORDER**

**REQUEST** received by An Bord Pleanála on the 11<sup>th</sup> day of December 2024 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 at St James's Hospital, James's Street, Dublin 8.

**WHEREAS** the Board made a decision to grant the proposed development, 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:

- Changes to landscaping at South-West corner connection to James's Walk Linear Park adjacent to Rialto Luas stop to provide fire tender access;
- Continuation of "MISA campus fence style" along boundary with James's Walk Linear Park to provide continuity of treatment
- Changes to landscaping at Cameron Square Interface on main access road to allow for fire tender access and turning movements;
- Changes to interface with St James's Hospital Energy Centre to allow vehicular access;
- Amendments to storm drainage surrounding Energy Centre and access road interface;
- Changes and amendments to surface treatment of interface between entry plaza and access road;

- Amendments to winter garden layouts within Children's Hospital to remove water features, and expand platers and seating arrangements.
- Amendments to the western elevation to comprise: reduction in height of non-dimensioned balcony soffit by 160mm, change to glass opacity not previously tagged, local alterations to Mullion spacing, reduction in height of non-dimensioned entrance soffit by 450mm, increase in non-dimensioned intermediate coping height by 685mm and reduction in height of non-dimensioned balcony soffits by 200mm;
- Amendments to the west & east elevations comprising reduced and revised cladding detail to the heilipad.
- Amendments to the northeast elevation comprising an increase in non-dimensioned intermediate coping height by 510mm
- Amendments to the east elevation comprising the extent of decorative perforated panels extended in lieu of louvres;
- Amendments to the south elevation comprising the omission of one window on the return elevation to south entrance and the reduction in height of non-dimensioned Courtyard soffit by 515mm in the internal courtyard elevation of Fingers 4, 5 & 6.

**AND WHEREAS** having regard to the issues involved, 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 the matter,

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

**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)(b)(ii) of the Planning and Development Act, 2000, as amended, the Board hereby alters the abovementioned decision so that the approved development shall be altered in accordance with the plans and particulars received by An Bord Pleanála on the 11<sup>th</sup> day of December 2024, for the reasons and considerations set out below.

### **MATTERS CONSIDERED**

In making its decision, the Board had regard to those matters to which, by virtue of the Planning and Development Acts and Regulations made thereunder, it was required to have regard.

### **REASONS AND CONSIDERATIONS**

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

- (a) The nature and scale of the proposed alteration,
- (b) The documentation on file, and
- (c) The report of the Inspector.

Having regard to:

- The nature and scale of the National Paediatric Hospital development permitted under PL29S.PA0043,
- the examination of the environmental impact, including in relation to Natura 2000 sites, carried out in the course of that application,
- the limited nature and scale of the alterations when considered in relation to the overall permitted development
- the location of the proposed alterations, within the footprint of the existing National Paediatric Hospital site,
- the absence of any significant new or additional environmental impacts arising as a result of the proposed alterations, and
- the report of the Board's inspector, which is adopted,

It is considered that the proposed alterations would not be material. In accordance with section 146B(3)(a) of the Planning & Development Act, as amended, the Board hereby makes the said alterations.

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Una Crosse

Inspectorate

31<sup>st</sup> March 2025

## Appendix 1 - Form 1

### EIA Pre-Screening

[EIAR not submitted]

<b>An Bord Pleanála Case Reference</b>	ABP-321424-24		
<b>Proposed Development Summary</b>	Proposed alterations to the terms of the permitted development granted under reference number PL29S.PA0043.		
<b>Development Address</b>	St James's Hospital Campus, James's Street, Dublin 8		
<b>1. Does the proposed development come within the definition of a 'project' for the purposes of EIA?</b> (that is involving construction works, demolition, or interventions in the natural surroundings)		<b>Yes</b>	X
		<b>No</b>	
<b>2. Is the proposed development of a class specified in Part 1 or Part 2, Schedule 5, Planning and Development Regulations 2001 (as amended) and does it equal or exceed any relevant quantity, area or limit where specified for that class?</b>			
<b>Yes</b>			EIA Mandatory EIAR required
<b>No</b>	X	Development comprises of alterations to a permitted scheme.	Proceed to Q.3
<b>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]?</b>			
		<b>Threshold</b>	<b>Comment (if relevant)</b>
<b>No</b>			
<b>Yes</b>	X	Part 2, Class 10(b)(iv) Urban development which would involve an area greater than 2 hectares in the case of a business district, 10 hectares in the case of other parts of a built-up area and 20 hectares elsewhere  Part 2, Class 13(a)	The works proposed comprise landscaping and changes to fenestration of a permitted development  Proceed to Q.4



		<p>Any change or extension of development already authorised, executed or in the process of being executed (not being a change or extension referred to in Part 1) which would:-</p> <p>(i) result in the development being of a class listed in Part 1 or paragraphs 1 to 12 of Part 2 of this Schedule, and</p> <p>(ii) result in an increase in size greater than – - 25 per cent, or - an amount equal to 50 per cent of the appropriate threshold, whichever is the greater</p>		
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4. Has Schedule 7A information been submitted?		
No	No	Preliminary Examination required
Yes		Screening Determination required

Inspector: \_\_\_\_\_

Date: \_\_\_\_\_

## Form 2

### EIA Preliminary Examination

<b>An Bord Pleanála Case Reference</b>	ABP-321424-24
<b>Proposed Development Summary</b>	Proposed alterations to the terms of the permitted development granted under reference number PL29S.PA0043.
<b>Development Address</b>	St James's Hospital Campus, James's Street, Dublin 8
<p><b>The Board carried 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.</b></p> <p><b>This preliminary examination should be read with, and in the light of, the rest of the Inspector's Report attached herewith.</b></p>	
<p><b>Characteristics of proposed development</b></p> <p>(In particular, the size, design, cumulation with existing/proposed development, nature of demolition works, use of natural resources, production of waste, pollution and nuisance, risk of accidents/disasters and to human health).</p>	<p>The proposed development comprises alterations to the public realm and access network within the campus to facilitate access for fire tenders. Alterations are also proposed to the fenestration of the elevations to provide minor changes to openings and materials.</p>
<p><b>Location of development</b></p> <p>(The environmental sensitivity of geographical areas likely to be affected by the development in particular existing and approved land use, abundance/capacity of natural resources, absorption capacity of natural environment e.g. wetland, coastal zones, nature reserves, European sites, densely populated areas, landscapes, sites of historic, cultural or archaeological significance).</p>	<p>The alterations are located both on the permitted structure itself and within the immediate public realm. There is no change to any permitted function within the proposal.</p>

<b>Types and characteristics of potential impacts</b> (Likely significant effects on environmental parameters, magnitude and spatial extent, nature of impact, transboundary, intensity and complexity, duration, cumulative effects and opportunities for mitigation).		The alterations proposed comprise very minor changes to the landscaping treatment of access areas within the public realm of the complex. They are imperceptible within the context of the wider development. The alterations to the elevations comprise minor changes to the openings and materials but they do not alter the presentation of the fenestration to any degree. There are no likely effects arising.
<b>Conclusion</b>		
<b>Likelihood of Significant Effects</b>	<b>Conclusion in respect of EIA</b>	<b>Yes or No</b>
There is no real likelihood of significant effects on the environment.	EIA is not required.	<b>Yes</b>
There is significant and realistic doubt regarding the likelihood of significant effects on the environment.	Schedule 7A Information required to enable a Screening Determination to be carried out.	<b>No</b>
There is a real likelihood of significant effects on the environment.	EIAR required.	<b>No</b>

**Inspector:**

**Date:**

**DP/ADP:** \_\_\_\_\_

**Date:** \_\_\_\_\_

(only where Schedule 7A information or EIAR required)

